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University History Series

David Pierpont Gardner

A LIFE IN HIGHER EDUCATION:
FIFTEENTH PRESIDENT OF THE UNIVERSITY OF CALIFORNIA, 1983-1992

With Introductions by
Clark Kerr
and
Jack W. Peltason

Interviews Conducted by
Ann Lage
in 1995 and 1996

Since 1954 the Regional Oral History Office has been interviewing leading participants in or well-placed witnesses to major events in the development of Northern California, the West, and the Nation. Oral history is a method of collecting historical information through tape-recorded interviews between a narrator with firsthand knowledge of historically significant events and a well-informed interviewer, with the goal of preserving substantive additions to the historical record. The tape recording is transcribed, lightly edited for continuity and clarity, and reviewed by the interviewee. The corrected manuscript is indexed, bound with photographs and illustrative materials, and placed in The Bancroft Library at the University of California, Berkeley, and in other research collections for scholarly use. Because it is primary material, oral history is not intended to present the final, verified, or complete narrative of events. It is a spoken account, offered by the interviewee in response to questioning, and as such it is reflective, partisan, deeply involved, and irreplaceable.

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David Gardner, 1983.

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Cataloging information

GARDNER, David Pierpont (b. 1933)

University president

A Life in Higher Education: Fifteenth President of the University of California, 1983-1992, xiii, 810 pp., 1997.

Family and youth in Berkeley, Mormon upbringing; employment with Berkeley Alumni Assn., 1960-1964; PhD in higher education, UC Berkeley 1966, study of the loyalty oath controversy; assisting Chancellor Vernon Cheadle at UC Santa Barbara, 1964-1970: managing campus growth and student unrest; service in UC President's Office under Charles Hitch; president, University of Utah, 1973-1983: budget and legislative relations, accomplishments; chairing National Commission on Excellence in Education, 1981-1983; presidency of the University of California, 1983-1992: management style, staff, relationship with Board of Regents, chancellors, faculty, and students; role in Sacramento: relations with Governors George Deukmejian and Pete Wilson, the finance department, key legislators, Speaker Willie Brown; planning for new academic programs and campuses: the Humanities Institute, Pacific Rim studies, new professional schools, Keck Observatory; affirmative action policies; the budget process; controversies over UC management of the national laboratories and divestment in South Africa; impact of state budget crisis; death of wife, Elizabeth, 1991; resignation and controversy surrounding retirement package; presidency of the William and Flora Hewlett Foundation, 1993- , and service on other nonprofit and corporate boards. Appendices include *A Nation at Risk*, 1983.

With introductions by Clark Kerr and Jack W. Peltason

Interviewed 1995, 1996 by Ann Lage for the University History Series.

Underwritten by the Chancellor's Office, University of California, Berkeley

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PREFACE

When President Robert Gordon Sproul proposed that the Regents of the University of California establish a Regional Oral History Office, he was eager to have the office document both the University's history and its impact on the state. The Regents established the office in 1954, "to tape record the memoirs of persons who have contributed significantly to the history of California and the West," thus embracing President Sproul's vision and expanding its scope.

Administratively, the new program at Berkeley was placed within the library, but the budget line was direct to the Office of the President. An Academic Senate committee served as executive. In the four decades that have followed, the program has grown in scope and personnel, and the office has taken its place as a division of The Bancroft Library, the University's manuscript and rare books library. The essential purpose of the Regional Oral History Office, however, remains the same: to document the movers and shakers of California and the West, and to give special attention to those who have strong and continuing links to the University of California.

The Regional Oral History Office at Berkeley is the oldest oral history program within the University system, and the University History Series is the Regional Oral History Office's longest established and most diverse series of memoirs. This series documents the institutional history of the University, through memoirs with leading professors and administrators. At the same time, by tracing the contributions of graduates, faculty members, officers, and staff to a broad array of economic, social, and political institutions, it provides a record of the impact of the University on the wider community of state and nation.

The oral history approach captures the flavor of incidents, events, and personalities and provides details that formal records cannot reach. For faculty, staff, and alumni, these memoirs serve as reminders of the work of predecessors and foster a sense of responsibility toward those who will join the University in years to come. Thus, they bind together University participants from many of eras and specialties, reminding them of interests in common. For those who are interviewed, the memoirs present a chance to express perceptions about the University, its role and lasting influences, and to offer their own legacy of memories to the University itself.

The University History Series over the years has enjoyed financial support from a variety of sources. These include alumni groups and individuals, campus departments, administrative units, and special groups as well as grants and private gifts. For instance, the Women's Faculty Club supported a series on the club and its members in order to preserve insights into the role of women on campus. The Alumni Association supported a number of interviews, including those with Ida Sproul, wife of

the President, and athletic coaches Clint Evans and Brutus Hamilton.

Their own academic units, often supplemented with contributions from colleagues, have contributed for memoirs with Dean Ewald T. Grether, Business Administration; Professor Garff Wilson, Public Ceremonies; Deans Morrough P. O'Brien and John Whinnery, Engineering; and Dean Milton Stern, UC Extension. The Office of the Berkeley Chancellor has supported oral history memoirs with Chancellors Edward W. Strong and Albert H. Bowker.

To illustrate the University/community connection, many memoirs of important University figures have in turn inspired, enriched, or grown out of broader series documenting a variety of significant California issues. For example, the Water Resources Center-sponsored interviews of Professors Percy H. McGaughey, Sidney T. Harding, and Wilfred Langelier have led to an ongoing series of oral histories on California water issues. The California Wine Industry Series originated with an interview of University enologist William V. Cruess and now has grown to a fifty-nine-interview series of California's premier winemakers. California Democratic Committeewoman Elinor Heller was interviewed in a series on California Women Political Leaders, with support from the National Endowment for the Humanities; her oral history was expanded to include an extensive discussion of her years as a Regent of the University through interviews funded by her family's gift to The Bancroft Library.

To further the documentation of the University's impact on state and nation, Berkeley's Class of 1931, as their class gift on the occasion of their fiftieth anniversary, endowed an oral history series titled "The University of California, Source of Community Leaders." The series reflects President Sproul's vision by recording the contributions of the University's alumni, faculty members and administrators. The first oral history focused on President Sproul himself. Interviews with thirty-four key individuals dealt with his career from student years in the early 1900s through his term as the University's eleventh President, from 1930-1958.

Gifts such as these allow the Regional Oral History Office to continue to document the life of the University and its link with its community. Through these oral history interviews, the University keeps its own history alive, along with the flavor of irreplaceable personal memories, experiences, and perceptions. A full list of completed memoirs and those in process in the series is included before the index of this volume.

Harriet Nathan, Series Director
University History Series

Willa K. Baum, Division Head
Regional Oral History Office

September 1994
Regional Oral History Office
University of California
Berkeley, California

INTRODUCTION by Clark Kerr

PUBLIC TRIUMPHS--PERSONAL TRAGEDIES

David Gardner has experienced both great triumphs and great tragedies and treats them both, in this oral history, with candor and understanding. Not for him Plato's "unexamined life" that is "not worth living." Gardner shares with us an examined life that has been well worth living--examined in both its triumphs and tragedies. Thus his oral history, beyond most that I have read, has a spirited liveliness and sense of reality--how it really was and how it really felt.

Gardner has had more than his share of triumphs. I shall note only two. The first was a report called *A Nation at Risk* (1983) by a commission which he chaired when he was president of the University of Utah. This report has had more national impact than any other in American history in the field of education. Its observations and recommendations still echo in the halls of Congress and in the White House and will continue to do so into the twenty-first century. This report called for the nation to place a much higher priority on support of its school system.

The second triumph followed shortly later. It was his first (1984-85) budget as president of the University of California. It was the most risky, most venturesome budget prepared in the history of the university--and the most needed both then and later. Then the university had suffered a series of inadequate budgets under Governors Ronald Reagan and "Jerry" Brown for sixteen years in a row. Faculty salaries had fallen 14 percent below those in the "comparison institutions." Faculty pensions had been grossly underfunded. To make up for past deficiencies it would take a budget increase of 32 percent--but over what period of years? Gardner decided to get it all back in one year if he could. Absolutely unheard of, and he was strongly cautioned against trying. To fail meant to start his presidency with a grand defeat. But he went ahead, convincing the Board of Regents, the governor, and the legislature. The circumstances were somewhat favorable. The new governor (George Deukmejian) had been elected in 1982 in a campaign that promised better support for education. The economy was perking up after the series of recessions in the 1970s. And there was a new president of the university.

Gardner won his chancy proposal, and in its entirety. This erased the deficits of the prior sixteen years. Beyond that it established a position of strength that made possible a survival in the early 1990s. From 1990 to 1993, state general fund support for the university fell 24 percent in real terms. Had this percentage been added to the prior 32 percent, the university could hardly have recovered for many years, if at all. Instead the university moved into the academic rankings by the

National Research Council in 1993 with four campuses ready to be rated among the top twenty in the nation in terms of the proportion of "distinguished" programs. Herodotus once wrote that "great deeds are usually wrought at great risks." So it was here.

I turn now to the tragedies and again shall note only two. The first was the death (1991) of his beloved wife Libby--a seismic shock of great force. David decided he could not continue as president without her support, and he resigned effective at the start of the 1992-93 academic year.

The other tragedy was the controversy surrounding his retirement package in the spring of 1992. This package was negotiated by one of his vice presidents, Ronald Brady, and approved by the Board of Regents. David did accept it. He was encouraged to do so by his closest advisory groups--the Council of Chancellors and the Cabinet of Vice Presidents. These twenty-two people, incidentally, all benefited from the policies set forth in the package. When the package became public, and was exaggerated in the press, all hell broke loose. It came at a time when student tuition was rising and faculty salaries were being held without increases, and there were many scandals being uncovered in the pay income for corporate executives. David took the heat and felt betrayed. "I thought of . . . all the successes we had during my nearly ten years as president . . . and all of a sudden, it is all forgotten" (p. 605). As Shakespeare once wrote, "Blow, blow, thou wintry winds! They are not so unkind as man's ingratitude." The "successes" were "all forgotten."

I have known David Gardner since he was a graduate student at Berkeley working for the California Alumni Association in the early and mid-1960s. He went along with me on several tours of alumni association chapters around the state, and was always kind and helpful. Then he became vice chancellor at Santa Barbara, and still later a vice president of the university before becoming president of the University of Utah in 1973. I kept up with him during all these years, and in his oral history he speaks of me as one of his "mentors." By 1992, when he resigned as president of the university, the University of California had been one of the great centers of his life for more than half a century. As a student at Cragmont grammar school and Garfield Junior High and later Berkeley High School, he had walked around the campus so many times, attended athletic events and cultural programs including Charter Day celebrations. And so his parting from the university was particularly sad.

David had good judgment, inventive solutions to complex problems, calmness in the midst of turmoil, a genius at persuasion, and courage bordering on daring. All of these attributes he applied to his leadership within and outside the University of California. His public triumphs brought immense benefits to many, his private tragedies mostly costs to himself.

This is one oral history that justifies the reactions of both great acclaim and deep sorrow.

Clark Kerr
President Emeritus
University of California

March 1997
Berkeley, California

INTRODUCTION by Jack W. Peltason

There is no doubt that this memoir will be central to understanding the story of American higher education and the evolution of the University of California in particular. The testimony of an articulate, perceptive, and intelligent person who has played so many key roles in the history of those institutions is of incalculable value. It has been my good fortune to have been a friend of David Gardner's for many years and to have worked directly with him for more than a decade. In the late seventies and early eighties we worked together in our advocacy of U.S. higher education through the American Council on Education. In 1984 he invited me to return to the University of California to become the second chancellor at UC Irvine, and then I served as his immediate successor in the presidency. In each of these roles, I had a chance to see him in action and to admire his brilliant talents for leadership.

His tenure as president, which was the third longest in the annals of the university (shortened solely because of the death of his beloved life's partner, Libby), will come to be recognized as one of the most significant periods in the university's history. At the time he announced his retirement he was one of the most respected and popular leaders in the state. In the spring of 1992, I saw him receive standing ovations and accolades from the faculty, regents, staff, legislators, and citizens' groups. I remember telling him that he was the only president I had ever known who had served as a president of a major university for eight honeymoon years. Then, within a few weeks, he was under sustained and undeserved media and political attack which may regrettably postpone full appreciation of his contributions. Of course David will speak to this issue in his oral history with candor and eloquence, and he does not need me to defend him. Suffice it to say that he and one of his vice presidents became scapegoats for the damage caused to the university by the downturn in the state's economy which resulted in deep cuts in the UC budget.

The primacy of David's faith and his family was absolute but, after that, his time, talents, and energies were totally committed to the university. He never lost sight of its primary missions, and his goals were always to strengthen its teaching, scholarship, and public service.

Before David dealt with any issue, he did his homework and knew more about the subject than anybody else. So whether he was dealing with students, faculty, other administrators, regents, or politicians, he won almost all the arguments by the power of his logic and the persuasiveness of his reasoning. He was always sensitive to the tactics and politics of a situation but after listening to the discussions, he would summarize the advice he received, make sense of incoherence, and work to build consensus for action that would serve the best interest of the university.

Watching him at a Regents' meeting was seeing a virtuoso at work. Regents have strong opinions and are not reluctant to discuss them. Their convictions were often conflicting and the board would be deadlocked. Then, without benefit of notes, David would summarize the various positions, put the issue into context, make a recommendation which, on its merits, would receive a vote of all the regents. In fact, he was so persuasive that the regents found themselves accused of being rubber stamps. They were not; they simply were persuaded by David to do what was best for the university.

There is not room to detail all of his contributions or all the battles he fought for the university. But a few of them are so significant that they should be listed here:

1. He chaired the national commission appointed by Secretary of Education Terrel Bell, which issued one of the few national studies that has made a difference. For it was this report, *A Nation at Risk*, that launched the modern reform movement for K-12. He followed through and used his presidency to guide the university in reaching out more extensively and intensively to work in partnership with K-12.

2. He accelerated the organizational arrangements that enabled the University of California to be the only public university that has been able to duplicate the scope and quality of its original campus.

3. He encouraged the expansion of the university by leading the strategic planning that alerted the state to the need to prepare for the coming additional wave of students and to take steps toward establishing a tenth campus of the university.

4. He worked out arrangements with the governor and legislature that recouped decades of underfunding, including a one-year 30 percent increase in UC's state operating budget--feats which greatly advanced the quality and size of the university. Additionally, without these years of adequate funding during the eighties, UC would have been even more grievously exposed in the years following his presidency when the state's economy was so depressed that the university sustained the biggest cuts in its history.

5. He presided over the construction and expansion of the infrastructure of the university; during his presidency UC engaged in the largest building program in its history--\$4.3 billion in capital projects on the nine campuses.

6. He strengthened outreach and affirmative action programs, including the creation of the Presidential Fellowship Program for

minority and women scholars.

7. He championed the all-University Humanities Research Institute because of his concern that current pressures would divert so much attention to science, engineering, and medicine that the university might neglect to support scholarship in the humanities.

8. He emphasized the university's obligation to help California recognize its destiny as a Pacific Rim state, first by dramatically expanding students' opportunities for study abroad, and second by encouraging the creation of the Graduate School of International Relations and Pacific Studies, the first new professional school to be established at the university in twenty years.

9. He alerted the state to an emerging constitutional crisis: as a result of California's adoption of several constitutional amendments during the 1970s and 1980s, and because of some federal mandates, the state will face a situation in which there will be no more general fund money to support its institutions of higher education unless structured changes are made by early in the next century. He marshaled the facts, provided the analysis, and used his platform to bring to the state's decision makers and opinion leaders what they needed to know but were reluctant to hear.

He had many tumultuous challenges, as when the governor of California intervened to persuade the Board of Regents to divest stocks in South African companies. This was a move which the president and a majority of the regents thought to be unwise. Gardner's conscience required him to state his convictions; nonetheless, he recognized that to resist further could damage the university. He brought the same intensity and intelligence to every issue he faced as president.

But in my judgment he will be remembered less for the dramatic moments of his presidency than for the quiet and steady building up of the university that he pursued with such remarkable success. Under his calm, strong, and determined leadership the University of California collected on all of its nine campuses a world-class faculty. Never in all of history have so many outstanding faculty served under the aegis of one university. The quality of the faculty is the ultimate test of presidential leadership, and David passed that test brilliantly.

And--as if all of this were not enough!--David is a warm and kind person with a gift for friendship. He was never so busy nor so immersed in crisis that he did not have a moment to inquire about you and your family. He was a gracious and appreciative colleague who went out of his way to thank those who served with him. David is also someone who never lost his sense of humor to the pressures of office. He liked to tell the story of his sixteen-year-old daughter's reaction to the news that he was going to

leave the University of Utah to become the next president of the University of California. "Well, Dad," she said, "I guess you're going to be a lame duck in Utah and a sitting duck in California."

From the vantage point of nearly a decade and a half later, it is clearly more accurate to describe David Gardner as an eagle among presidents. This oral history will give the reader a fascinating view of the extraordinary skill and scope of his flight.

Jack W. Peltason
President Emeritus
University of California

April 1997
Irvine, California

INTERVIEW HISTORY--David Pierpont Gardner

As David Gardner was leaving office in 1992 after nine years as president of the University of California, the Regional Oral History Office wrote to him suggesting that he consider undertaking an oral history interview when the time seemed right. The Bancroft Library and its oral history office were familiar ground for President Gardner. In the 1960s he had done extensive research in the Bancroft for his study of the loyalty oath controversy at the university. Later he had been an interviewee in our two-volume set of oral histories on President Robert Gordon Sproul. And during his presidency he had sponsored two oral history projects--a study of the history of Blake House and Garden, the president's official home, and a memoir with Vice President for Agriculture and Natural Resources James B. Kendrick.

Well aware, then, of the importance of preserving university history, David Gardner responded favorably to the idea of recording his own oral history memoir; by 1995 he was ready to undertake the project. Preparation began with a survey of published accounts of David Gardner's presidency--interviews and articles in newspapers and UC publications primarily. The oral history of President Emeritus David Saxon conducted by the UCLA oral history office was useful in planning topics. For his pre-presidency years, the earlier oral history in the Sproul volume, David Gardner's book on *The California Oath Controversy* [UC Press, 1967], and *A Nation at Risk*, the 1983 report of the Gardner-chaired National Commission on Excellence in Education, were valuable.

With a proposed outline for the oral history in hand, I met with David Gardner in July 1995 at the William and Flora Hewlett Foundation in Menlo Park, where he has served as president since shortly after his retirement from the university. He concurred in the organization and choice of topics and recommended additional subjects and research resources. As an executive accustomed to consulting broadly, he suggested that I talk with a wide circle of his colleagues regarding subjects and questions to pursue. The outline of interview topics was then sent to more than twenty persons--regents, professors, chancellors, vice presidents, and others who had worked with David Gardner over the years. We received responses from nearly all of these, ranging from "great project, fine outline," to some very detailed suggestions of areas to examine and incidents to discuss.

Once interviewing began, the project moved quickly. From September 1995 to January 1996, twelve interview sessions were held, each two or more hours in length. Most took place at the Hewlett Foundation, two occurred at the Bancroft Library when David Gardner had occasion to come to the Berkeley campus.

David Gardner was an excellent narrator for an oral history interview, for a number of reasons. As many who observed him in action at Regents' meetings have remarked, he is extraordinarily articulate, coherent, and

cogent in his verbal presentation. He has an excellent memory. He is forthright and candid and made the interviewer feel free to explore sensitive and controversial topics. Indeed, he saw the oral history as the place to explore these topics fully.

His sense of the importance of our enterprise was heightened because he had left very little paper trail to guide historians in their study of his presidency. Unlike some of his predecessors, he did not dictate memos to file of key meetings or phone conversations. As he stated in the interviews, he conducted much of his important business verbally, on the phone or in face to face meetings. And he knew that minutes of Regents' meetings did not document the behind-the-scenes exchanges that determined actions in the formal meetings.

With his keen sense of the importance of preserving the history of his administration, he was fully committed to preparing a final document that would be accurate and complete. After the tapes were transcribed and the transcript lightly edited by ROHO staff, he reviewed the transcript, a section at a time, adding information or clarifying statements when necessary. In October 1996 we recorded a final session to add some thoughts that had occurred to him during his review. The transcript of this final tape was integrated into the related subject matter throughout the text, as indicated in the tape guide.

Once corrections and additions were entered and the final formatting done, President Gardner reread the text in its entirety, made small corrections, and added substantive comments and elaborations throughout. These remarks were incorporated into the text and noted as additions when they were of substantial length. He suggested several items for the appendices which illustrated subjects referred to during the interviews. Finally, at the completion of his review, he wrote a concluding section in which he reflected on some of the most personally meaningful of his life experiences. The end result of this intensive process is an oral history that is unusually rich in the amount of information and analysis it provides and at the same time very illuminating of the character and beliefs of the memoirist.

This is a valuable document for historians of higher education, the University of California, and California state government. The university operates in great part according to a complex network of unwritten but agreed upon conventions of shared governance. This oral history offers a clearly presented perspective on the Office of the President and the overlapping set of relationships it maintains with the various constituents in the governance of the University of California--the campuses and their chancellors, the Board of Regents, the faculty, alumni, and students. It also sheds light on the university president's relationships with the governor, legislative leaders, federal government officials, and the wider world of business and industry, the press, and citizens' groups. Moreover, it clarifies the budget process within the university, a topic that has become of central concern on the nine campuses during the past eight years

of declining state budgetary support.

It covers not only the Gardner presidency, but his service to the Berkeley campus Alumni Association in the early sixties. It gives a dramatic account of his years at UC Santa Barbara during the sometimes violent protests of the late sixties and discusses the statewide administration during the presidency of Charles Hitch, when Gardner was a vice president and dean of University Extension. Two interview sessions discuss his presidency of the University of Utah from 1973 to 1983 and his role in producing the influential national report on K-12 education, *A Nation at Risk*.

The oral history also documents President Gardner's family and personal background and discusses very candidly his reactions to the tragedy of his wife's death in 1991 and the furor surrounding announcement of his retirement package in 1992. We are given a picture of a self-confident man firmly rooted in family and place and religious belief, all of which serves him well when he confronts simultaneous crises in his personal and professional lives.

Two excellent introductions to the volume provide insightful assessments of the Gardner presidency from two men who should know--Clark Kerr, former president and longtime mentor to Gardner, and Jack Peltason, chancellor at UC Irvine during Gardner's presidency and then his successor as president. We thank them for their thoughtful contributions.

David Gardner from the beginning encouraged us to document a range of perspectives on his years as president. With support from the office of President Richard Atkinson, ROHO is now undertaking a project to conduct focused oral histories with fifteen to twenty representatives of the larger university community and state government, including students, alumni, faculty, chancellors, regents, legislators, and members of the gubernatorial administration. Together with the Gardner oral history and the written records in the University of California Archives at the Bancroft Library, these interviews will provide a broad perspective on this crucial decade in the history of the University of California.

The Regional Oral History Office was established in 1954 to record the lives of persons who have contributed significantly to the history of California and the West. One of its major areas of investigation has been the history of the University of California; a listing of oral history interviews in this series follows the appendix. All ROHO projects are supported by gifts and grants; funding for the David Gardner oral history was provided by the office of Berkeley Chancellor Chang-Lin Tien. The Regional Oral History Office is a division of The Bancroft Library and is under the direction of Willa K. Baum.

Ann Lage
Interviewer/editor

May 1997
Berkeley, California

BIOGRAPHICAL INFORMATION

(Please write clearly. Use black ink.)

Your full name David Reigont Gardner
Date of birth March 24, 1933 Birthplace Berkeley, California
Father's full name Reed Snow Gardner
Occupation Federal Civil Servant Birthplace Line Valley, Utah 1900
Mother's full name Margaret Reigont Gardner
Occupation Homemaker Birthplace Provo, Utah 1903
Your spouse Elizabeth Fuhrman 1935-1991; Sheila Szegoe 1995-
Occupation Mental Hygienist Birthplace Elyria, Ohio
Birthplace: Huntington Park, Calif. Occupation: Flight attendant
Your children Karen 1960, Shari 1962, Lisa 1966, Marc 1969; step son: Matthew 1985.
Where did you grow up? Berkeley, California
Present community Part-Time: Park City, Utah and San Mateo, Calif.
Education Brigham Young University, B.S. 1955;
Univ. of California Berkeley, M.A. 1959; Ph.D. 1966
Occupation(s) University of California 1960-1973, UCSB and Berkeley;
University of Utah 1973-83, President; University of California 1983-92,
Areas of expertise studied and taught the organization,
management & financing of higher education in the U.S.
and U.K. Also, the politics and construction of
higher education systems in the U.S.
Other interests or activities I enjoy a variety of activities: fly-fishing, skiing, hiking
and related activities in the high Sierra and Rocky Mountains.
Also, enjoy the symphony, ballet, theater and chamber music.

Organizations in which you are active

The Nature Conservancy, The Tanner Lectures on Human Values,
The Getty Trust and The Huntsman Cancer Institute. I also
serve as Chairman of the Eccles Foundation in Salt Lake City.

I FAMILY BACKGROUND, CHILDHOOD, AND YOUTH

[Interview 1: September 27, 1995]##¹

Parents' and Grandparents' Backgrounds, Utah

Lage: This is the first session of an oral history with David Gardner, and today is September 27, 1995. We're talking about family background, childhood, youth, to get a picture of David Gardner and how he developed. I know you were born March 24, 1933, in Berkeley.

Gardner: I was born in Berkeley at Alta Bates Hospital.

Lage: Tell me about your parents, to start with.

Gardner: My mother [Margaret Pierpont Gardner] was born and grew up in Provo, Utah. Her father was a very successful businessman. She was one of eight children, very religious, the only member of her family to be at all religiously inclined.

Lage: Including her own parents?

Gardner: Yes, other than her mother, who was, but the rest of the family was not. So she was a strong personality, I'm told. It was a very interesting family. Her father was a self-made businessman, eighth-grade education, made it on his own.

Lage: What kind of business?

Gardner: He was in the foundry business, and he made and lost three fortunes. I regret that he had lost the last one just before he

¹This symbol (##) indicates that a tape or tape segment has begun or ended. A guide to the tapes follows the transcript.

passed away. [laughter] His name was Thomas Pierpont, which is where I get my middle name. His father was a Utah pioneer.

Lage: Did they all come from Mormon stock?

Gardner: All of them.

Lage: Even though everyone wasn't religious.

Gardner: Yes, they were all from Mormon stock. And my grandmother, my mother's mother, was Vilate Smoot. Vilate was a family name. She was from Provo as well, and her father was the mayor of the city, the most prominent businessman in Provo. He had been one of Brigham Young's scouts coming west, and her brother was Reed Smoot, Senator Smoot of the Smoot-Hawley Tariff.

Lage: Yes, that's a very familiar name.

Gardner: My mother grew up in a prominent family, but her father was a self-made person, and her mother was from a well established, very prominent family. It was a mix of a prominent family and one that was less well known at the time of their marriage. The combination yielded up eight children who were bright, personable, brilliant in some respects, variously successful, and some with unconventional lifestyles. So it was a very interesting family. You would go to a family reunion and you would think you were in the middle of a brawl. They had a lot of enthusiasm, a lot of emotion and feeling. They were interesting characters.

Lage: And when you say your grandfather made and lost three fortunes, was he an adventuresome type of person?

Gardner: Oh, yes, very bold.

Lage: I'm thinking of Wallace Stegner and his stickers and boomers.

Gardner: Well, he was a bit like Stegner's boomers. He was a classic nineteenth-century entrepreneur. He was born the year Custer was wiped out in the Battle of the Little Big Horn up in Montana, and he came out of that era. Very independent, very entrepreneurial, very tough. He was a big man, 260 pounds, big, strong person, whom I remember very well. When I was in college, he would drive me up Provo Canyon to his home there. He would be driving up the mountain road at maybe sixty-five or seventy miles an hour, and I would be white as a ghost, all the while he was cursing these college kids who drove up there too fast. He was an unusual person; I've never met anyone quite like him.

Lage: Did your mother inherit his personality?

Gardner: No, she inherited more of her mother's.

My mother was a wonderful debater. When she was seventeen or eighteen, she won the LDS [Latter-day Saints] church debating contest in the Mormon tabernacle in Salt Lake City. She was good at that. She won debates all around the United States and represented the University of Utah on their debating team. She went on a mission for the LDS church when she was eighteen years old to Boston, the Boston area, that is.

Lage: Is that young for going on a mission?

Gardner: Very young, yes. In fact, they would not send women at eighteen today. So she was very young. A very strong-willed person, apparently. And while on that mission, she worked with Maureen Furhiman, who later was my mother-in-law. So that's an interesting tie.

Lage: But that wasn't the way you met your wife?

Gardner: No, it was not. Just a coincidence. Now, I go into this detail about my mother's family, as I will with my father's, because the family is a significant factor in my life. I know who my grandmothers and grandfathers were. I know who my great-grandmothers and great-grandfathers were. I know where they came from and what they did, who their families were. So I'm going into this detail to emphasize that I have a keen sense of where I've been, and, therefore, where I am, and that helps ground me. It has been a source of both assurance and comfort for me to have a sense of self and be comfortable with it.

Lage: And did you feel this as a young person, knowing the grandparents?

Gardner: Yes, I always did. Yes.

My mother, however, died of cancer when she was thirty-six.

Lage: Oh, I didn't realize that. And how old were you?

Gardner: I was six years old. She left my younger sister, Vilate, who was one, and my older brother, Reed, who was ten. Her death, I think, had a much more profound effect on me than I fully appreciated at the time, or indeed perhaps than I fully appreciate even now. She was a strong-willed person, she was extremely bright, and she was very outgoing. Everybody loved

her, I'm told. I missed her, but my father said I inherited some of her characteristics.

So that was on my mother's side.

On my father's side, he [Reed Snow Gardner] was from a small cattle and lumber town in southern Utah called Pine Valley. It is in a remote part of the American West. It's at 7,000 feet elevation. It is northwest of St. George, Utah, and southwest of Cedar City, Utah. It's up in the Pine Valley Mountains, at the top of the mountains, in a little valley.

Lage: I'll bet it's beautiful.

Gardner: It is beautiful. He was born there, and he grew up there, and his father grew up there, and his grandfather built the home in which he grew up. His father was a cattleman, and his father, in turn, was a lumberman. So these were people of the soil, as it were.

Lage: How did they end up in Pine Valley?

Gardner: Well, my great-grandfather, Robert Gardner, had come from Scotland as a one-year-old and then joined the Mormon church in Canada, which was not a popular thing to do in those days.

Lage: But he didn't join in Scotland.

Gardner: No. His father had come from Scotland where--this is my great-great-grandfather who came from Scotland--he owned a tavern north of Glasgow and a flour mill that's still there. I've visited it. The Scots were holding political meetings in his tavern, plotting to overturn the English rule. So the tavern was raided, he was arrested, they were thrown into the dungeon at Sterling Castle, but no one came to testify against him. They testified against others, who were hanged. No one came to testify against him.

So he was released, but he was so outraged by this action that he resolved to leave the country, and he did and came to Canada. He pioneered in Canada. This was in the 1820s, something like that.

Then his son, Robert Gardner, joined the Mormon church when he was growing up and was driven out of Canada as a consequence. He came across the Saint Lawrence River into the United States with a posse in hot pursuit. Literally. He then went to Nauvoo, Illinois, on the eastern bank of the Mississippi River, where the Mormon church was headquartered, just in time to be driven out of Nauvoo, Illinois, by the mobs. Then he moved west with his

family travelling across the western plains in a Conestoga wagon, in the course of which he lost several family members and so forth. It was hard going.

They settled in Salt Lake City. He was a lumberman, and he opened the first lumber mill in Utah. Very prosperous, very successful. He was then asked by Brigham Young, president of the Mormon Church, to go down to southern Utah and help settle the St. George area, which he did with his family. They needed lumber to build up the southern communities, so he was then asked to go up to Pine Valley, Utah, and open a lumber mill, which he did. The lumber from that part of southern Utah was used to build all the main public buildings in southern Utah. The great pipe organ in the tabernacle in Salt Lake City is also built of wood that he cut in or near Pine Valley.

Lage: This does give you a sense of tradition.

Gardner: Yes. He cut and hauled the wood for the tabernacle organ 325 miles by ox team. So his family grew up there, my grandfather was born there, and my father was born there and grew up there. [tape interruption]

My father was the last of several children and all the land was given out to others so he really had no opportunity there. He attended Brigham Young University, graduated from there--

Lage: Did your mother also finish college?

Gardner: Yes. She graduated from the University of Utah, and my father from Brigham Young University. When he was a teenager, my grandfather Gardner moved the family to Provo because there were no educational opportunities in Pine Valley although there was a one-room schoolhouse, grades one through eight, and that was it. It's remarkable but that school produced some pretty fantastic people, professors and physicians and scientists and military and governmental officials of consequence.

Lage: From Pine Valley?

Gardner: From Pine Valley.

Lage: That's amazing.

Gardner: Well, the Mormon church has always emphasized education, and it did even in these small communities. That was the way up for people. And I mention that because the emphasis on education helped form my respect for education in general and its role in our society.

Lage: That was passed on.

Gardner: That's why I mention that, it was passed on.

So the family then moved up to Provo, Utah, where my father met my mother and he attended BYU. Ultimately, he was called on a mission for the Mormon church to Los Angeles, and on completing it was offered a position in Berkeley by one of the local banks.

Lage: I've heard him referred to as a banker and as a federal civil servant.

Gardner: Well, he was both, actually, and I'm not quite sure of the sequence. But he was offered a position in Berkeley and accepted it. He and my mother were then married, and they moved there in 1925.

Lage: So that was a long way from Utah.

Gardner: That was a long way from Utah, in every way. I mean, in every way: culturally, geographically, and so forth.

Lage: Was this unusual for a family that had been so close?

Gardner: Well, at that point, Utah was not a prosperous place, and they had large families there. So it was not uncommon for a reasonable percentage of the children to leave Utah because there was no employment for them at home. A significant number of such people then moved to Los Angeles, San Francisco, or they moved east, but many moved to the Bay Area. So when my father moved to Berkeley, there were a number of friends from Utah already living in the Bay Area.

Lage: Did your father's brothers and sisters go to college also?

Gardner: Yes, they went to Utah State. They were all farmers or ranchers. Every one of them was either a cattle rancher or a farmer in the Rocky Mountains.

Childhood in Berkeley, California, with Summers in Utah

Lage: So you were in Berkeley when you were born [March 24, 1933].

Gardner: I was in Berkeley, that's how I got to Berkeley.

Lage: How were these tales of the family's past carried on?

Gardner: I'm glad you asked that. The Mormon church encourages its members to keep journals. So most of my grandparents did so, including my great-grandfather. I have my great-grandfather's diary, for example, Robert Gardner's that is.

Lage: This is the one that came from Canada?

Gardner: Yes. It's a fabulous part of western history, actually. So we had all of those available. We had access not only to diaries and journals but also to accounts written by third parties of the settlement of Salt Lake and the settlement of St. George and the history of Pine Valley, we have all of those. My parents made sure that I had access to those, as did my brothers and sister.

In addition to that, any time members of the family visited us in Berkeley, they would reminisce and reflect on their youth and childhood, and I would always listen to that, because I was interested. And from the time I can remember, I would spend a significant part or all of my summers in Utah, working on my uncles' ranches or on their farms.

Lage: In your father's family?

Gardner: Yes, in my father's family. There was no place in my mother's family--I couldn't work in a foundry because of my age. So my father thought it would be good if I worked on the farm, learned how to drive cattle and to deal with all that, which I did. I hoed sugar beets with the Indians and the Mexicans who were there, with a short hoe, and my back still hurts.

Lage: Oh, that is a hard job, I understand.

Gardner: Oh, with temperatures of 105, 110 degrees in the western Utah desert there, near Delta in central Utah, it was hard.

Lage: Was this something you looked forward to doing?

Gardner: Yes, I loved it. I enjoyed it. I would stay with my uncles or my aunts, and my cousins who were there; and I would spend the summer there. From the earliest time, I can remember going to Utah for summers, and that further reinforced the connection and the linkage and my understanding of the family and the culture and the people.

But I found myself to be every bit as comfortable in Berkeley as I was on the farm in Delta, albeit they were utterly different worlds. I valued that balance, because it helped round out my sense of life and views of it.

- Lage: I think it is good for young persons to leave their peer group and go somewhere else while they are growing up.
- Gardner: It's good. I think it's very useful to do that. I wasn't in my mom and dad's home all the time, I was in someone else's as well. Even if they were relatives of mine, it was a different place, different pattern, different lifestyle. I thought that was good, because you had to cope.
- Lage: Did your father remarry?
- Gardner: He remarried about a year and a half after my mother passed away, and he married a second cousin of mine.
- Lage: A second cousin?
- Gardner: Of my mother's, whom he had known for years. She moved to Berkeley; she was from Provo, Utah. She and my father had a son, so I have an older brother and a younger sister, and then a younger half brother, Jim. She really raised me, basically.
- Lage: What was her name?
- Gardner: Allie Dixon. She came from a very prominent family in Provo, very large family, and it couldn't have been easy for her.
- Lage: To step into raising these three children?
- Gardner: Oh, yes. Because by the time she came, I was about eight, and we were a little out of bounds, actually. We went through housekeepers like a hot knife through butter. I think it was a great relief to my father to have somebody there to look after us.
- Lage: Where did you live in Berkeley, and what kind of a community did you have there?
- Gardner: Well, we lived in two homes in Berkeley. The first one was on Amherst Avenue near The Arlington.
- Lage: Out Kensington way.
- Gardner: Out in Kensington, until I was two, two and a half. Then we moved to 425 Spruce Street, which was next to the last home on Spruce Street at that time, where the reservoir is at the very top, where Grizzly Peak comes in around the corner. The area was mostly vacant lots. As I grew up, the lots began to fill up, and I watched all that. I wouldn't say it was countryside, but it

was not urban either. And yet we had all the amenities that Berkeley and the Bay Area offered, which was a great deal.

Lage: What do you remember about your interests at that point?

Gardner: The earliest I can remember is the chimney falling off the house in an earthquake, I think in 1936, and my room was where the chimney went through the roof. I do remember that. We sat in the hallway after this earthquake in apprehension of aftershocks. They never happened; we were okay, but I do remember that. It's the first thing I really remember. We had a lovely home that was built during the Depression. My father was then a civil servant and he was employed.

Lage: So you may have been better off then than later?

Gardner: He was, comparatively speaking, better off then than he ever was later. He was frugal and we were careful and we lived modestly. But he put what money he could into a nice home. That was his big investment. It was a lovely home. I would work every Saturday out in the garden helping him. We would do our own painting of the house; we didn't hire people to do things, we did them ourselves.

My [step]mother was a nutritionist by training and a nurse. She at one time had been head of nursing at Highland Hospital in Oakland. Two weeks after she came to Berkeley, I broke my arm, and I appreciated what she was able to do then.

I remember going to Cragmont Grammar School and to Garfield Junior High School, which is now Martin Luther King, and Berkeley High School.

Our home life was very stable. My father went to work at eight and he got home at five-thirty. He did not travel. So we had a very stable, almost predictable routine.

Lage: Were you pretty well monitored?

Gardner: Oh, yes. We had boundaries, and we had better abide by them, and we did. But they were not unreasonable. My father made an effort not only to make sure that I linked up to Utah and the family there, both on my mother's and father's sides and my stepmother's side as well, but he also made a determined effort to make sure that I took account of our being in Berkeley and what the university offered. We would attend various functions there, and he would take me to all the games.

Lage: How was the team in those days?

Gardner: They were pretty good. I remember that we won more than we lost, and I enjoyed it a lot. Tilden Park was around the corner, and that gave me all the open space I needed. We would go to the parks in the Bay Area, Golden Gate Park and Lake Merritt, all of those things.

Lage: How much older was your older brother?

Gardner: He was four years older than I; my sister is five years younger than I; my younger brother is ten years younger than I.

Lage: So you were really fairly well spaced.

Gardner: Yes, we were.

Lage: Did you do much with your older brother?

Gardner: Well, four years was a little marginal.

Lage: What was his name?

Gardner: Reed.

Lage: After the senator.

Gardner: No, after my father. My father's name was Reed Snow Gardner.

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Lage: We never clarified what your father actually did. I said I had read he was a banker and he worked with the federal government--

Gardner: He came to Berkeley in 1925, not long after the great Berkeley fire that burned down half of north Berkeley, and worked for one of the banks in this area, and I must say I don't know which one. But shortly thereafter, he went with the Federal Land Banks, and later with the Farm Credit Administration. At least I think that was the order.

Lage: And that was a New Deal program?

Gardner: Yes. And he was a civil servant. He was in charge of those offices for this region of the country.

Lage: Is that what he stayed with his whole career?

Gardner: He stayed with it the entire time. His office was on Oxford Street, where the Berkeley campus's University Extension office

is now headquartered. Before the Extension purchased it, that building was owned by the California Farm Bureau.

Lage: Well, there's a bit of history.

Gardner: Yes. And before that, it was owned by the government, and that's where the Federal Land Banks were, and/or the Farm Credit Administration, I'm not sure which. In any event, when we last visited, I mentioned that I had worked for the California Farm Bureau Federation. I worked in that building where my father had worked.

Lage: There's some continuity.

Gardner: It's a small world. And then my father's office moved down to what is now City Hall in the city of Berkeley on Milvia Street, next to Berkeley High School. So after high school every day, I would go over and at five o'clock, he would leave and we would go home together.

I do know that he settled in Berkeley for two reasons. One, it was a beautiful area, and secondly, it was home to the University of California.

Lage: What drew him about the university?

Gardner: Well, he and his family always put a heavy emphasis on education, and he thought if his children were to have been raised in a university community, it would increase the probability of their having that as a goal, which it surely did. However, when we were ready to go on to college, I went to Berkeley for one semester and then transferred to BYU, thus thwarting his long-term objectives. In any event, that was the idea.

Lage: How about your siblings? What did they go on to do?

Gardner: My older brother is a very successful businessman in the San Francisco Bay Area. He started his own company in a garage, manufacturing light fixtures, and the work was focused not on residential lighting fixtures so much but on huge commercial and industrial sites. He relit the Golden Gate Bridge in the 1970s, early eighties, and freeways, shopping centers, tunnels, you know. He started with nothing, had a very successful business, and he's now retired, living in San Mateo.

My younger sister Vilate lives in Salt Lake City. She was a 1950s woman in that sense. Her husband is in education, was a principal of schools in Salt Lake and now deputy superintendent of schools in Salt Lake City, and she's working as an executive

secretary to the president for one of the leading computer firms in Salt Lake. She went to BYU and graduated. And my brother Reed graduated from Utah State University.

Then my youngest brother is a physician practicing in Manhattan, Kansas. He is a Berkeley graduate.

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Gardner: I would say that growing up I had a very stable, secure family life except for the loss of my mother. And other than that, I never knew any want, never wanted for anything. Neither did we have a lot of money. We never had more than one car. We lived in the one house that was built in the Depression. Cost my dad \$6,700.

Lage: Were you aware of Depression deprivation around you, or were you sort of screened from that?

Gardner: Not really, and there wasn't a lot of it in Berkeley either. I was pretty well spared that. And then Grandfather Pierpont had money with his foundry, he was doing okay. And my Grandfather Gardner had a very large cattle herd, so our family did not really suffer during the Depression. Our immediate family did not. I would say that my family neither suffered from the Depression nor prospered in better times. They were kind of steady.

Lage: This is a very even picture you're giving me.

Gardner: It was a very even picture, very steady picture. I never felt threatened by anything.

Lage: Was the church an important part of your boyhood?

Gardner: It was. I attended church on a regular basis with my father and with the family.

Lage: Where was the church?

Gardner: It was on Walnut and Vine Streets in Berkeley, and it's still there. I was a Boy Scout with the troop there, and we did lots of fun things. I was a full participant in the life of the church in Berkeley, although most of my childhood friends were not Mormon; I had some Mormon friends, but most of them were not. So I wasn't just confined to that environment, although I've always appreciated what I gained from that and valued it greatly, glad I had it.

Lage: The Mormon friends I had growing up really had a tremendous number of social activities connected with the church.

Gardner: Well, not so much in those days. A little later, but not when I was young. They do now, of course, and they did maybe five years afterwards. In any event, they did have scouting, and I enjoyed that. I later joined the Sea Scouts in Berkeley, and that was fun cruising San Francisco Bay and the Sacramento Delta in old PT boats from World War II.

Education in Berkeley Schools, Music, and the Outdoors

Lage: How about school? What do you remember about your education?

Gardner: I always liked school. I never found school to be a drag. I was extremely fortunate in going through the Berkeley public schools. And in addition to that, I had a double fortune, because I was a mid-termer. In those days, you would start school in September or in late January or February. You didn't have to wait a whole year if you weren't old enough to join the class in September; they had mid-terms. I started in the mid-term, so we had a very small class. I don't think we ever had more than twenty students in my grammar school.

Lage: So you stayed with that same group of students?

Gardner: The entire six years. There were some wonderful people.

Lage: Are they people you still keep in touch with?

Gardner: Yes. One of them is Anya Sainsbury, Lady Sainsbury, in London, one of the leading ballerinas of her time. I grew up with her. There were a number of people in professional life. We have kept in touch.

Lage: Berkeley sounds like a much less diverse and kind of safer environment in those days.

Gardner: In every respect, it was. And I can comment on that a little later.

I received really an excellent education in the Berkeley public schools. I appreciated my teachers. I was extremely fortunate. We then went on to junior high school, and again I felt very fortunate in junior high school.

Lage: Even at the time?

Gardner: Yes. It was much more diverse than Cragmont Grammar School, which was fine. The races got along, kind of a mix of socioeconomic and--

Lage: When would you have been at Garfield?

Gardner: It would have been '45 to '48.

Lage: Postwar.

Gardner: It was postwar. I was president of the junior high school at the time, and I really enjoyed it.

I should also back up a bit and comment, I've always loved music. I started playing the piano when I was seven or eight. I played for four years, and then I went to the pipe organ and played the pipe organ for another five or six years.

Lage: And have you kept that up?

Gardner: Well, it's a hard instrument to keep up. It's not in your backyard or in your house, so it's difficult. I very nearly became a professional organist. I was the youngest member of the American Guild of Organists at one time. I came in second in a regional competition for young organists in San Francisco. I performed concerts when I was seventeen.

Lage: Where would you perform?

Gardner: In the LDS church, and in--I forget which church it was in Oakland, a big church on Broadway. Also, at other churches in Berkeley. I also recall performing a piano concert at the Keith home just north of campus for some of the delegates to the then forming United Nations who had come to San Francisco for that purpose in '45 or '46, I forget which. I remember especially the Russians in their highly polished boots.

Then when I was seventeen, I was offered the summer replacement position at the First Methodist Church on Broadway in Oakland which had a five manual organ, a beautiful organ. They would have paid thirty-five dollars a service, which was a lot, and ten dollars for weddings and funerals. At the same time I was offered the organist job, I was offered a chance to wash dishes at the Berkeley city camp at Echo Lake west of Lake Tahoe off of Highway 50, where my then-girlfriend, Lou Curtice, was waiting tables. And you know what I chose, much to my father's utter dismay.

Lage: [laughs] A dishwasher over a musician in a church!

Gardner: Yes! My girlfriend was there, so there we are. And after having done that, I never quite got back to the pipe organ.

Lage: Oh, goodness. Well, it's probably just as well for the university that you didn't.

Gardner: In any event, I enjoyed it, I appreciated it. And I mention it not just because of the musicianship and the pleasure I derived from good music, but also because of the self-discipline that it brought into my life. When you play the pipe organ, you do have to concentrate on it. I was greatly benefitted in terms of self-discipline, focus, and concentration by that experience, and that's held me in good stead ever since.

Lage: That's interesting. I've noticed that about other young musicians.

Gardner: Really? That's interesting. It was a great help to me.

Lage: Now, what about sports? Did you participate in sports?

Gardner: Yes, I enjoyed sports. I wouldn't say I was spectacularly good, but I got along okay. At least I wasn't the last one chosen every time, nor the first. But I had a good time. I had to wear glasses from age eight, so I really had a little difficulty playing basketball. But I did, and enjoyed playing all the sports.

Lage: Were you a reader for pleasure?

Gardner: Yes, I read.

Lage: What do you remember about your reading?

Gardner: Well, I never had trouble reading. Reading always came easy to me. When they would give me tests, I would always be reading four or five grades ahead of where I was. It was never a problem. So I read extensively.

Lage: Any particular type of books?

Gardner: I liked biographies and histories, history of the Old West, history of Europe. I was always interested in Asia.

Lage: Some of these things that come up later.

Gardner: Yes, they come up later, that's right.

Then I also enjoyed the out-of-doors. I loved to fly-fish, I liked the quiet of the mountains, I liked being in a stream and fishing the lakes at dawn and at dusk. I liked that a lot. So when I was up at Echo Lake instead of playing the pipe organ, I went two days a week fishing in the Desolation Valley wilderness area. And I want to point out that the manager of that camp was Emery Curtice, later principal of Berkeley High School, whose daughter Lou I was dating. He had a tremendous impact on my life, actually, which I want to acknowledge.

Lage: How?

Gardner: Well, for example, each of the guys in the kitchen had an assignment to burn the trash. This particular day it was my assignment, though I hadn't done it. Mr. Curtice came in and he said, "Who's responsible for burning the trash today?" Of course, I was dating his daughter and I was a good friend of his and I was kind of flippant. I said, "Oh, well, I didn't get to it." He said, "Well, you're going to get to it right now," and he just kind of kicked me out of the kitchen. It was a job I hadn't done and I should have.

I was feeling very despondent because I thought that he had been very unhappy with me, and though I deserved it, I wasn't feeling good about myself, and was worried about it when--

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Gardner: --when he came into my tent that evening. But he said, "I'm going fishing tomorrow. Do you want to go?" Now, he never had to say it to me; I got the message: "There's a difference between our personal relationship and my obligations," and he wanted to make sure that I understood that message. And I got it, and I never forgot it.

Emery Curtice then not only took me fishing that day, but he made a determined effort over the three summers I spent there to teach me how to fly fish and to increase my understanding and appreciation of the mountains, lakes and forests.

That has had a dramatic impact on my life, actually, because of where I now choose to spend my leisure time, how I have attempted to share those values with my children, where I derive pleasure in terms of the outdoors, all stems back to that. So I wanted to mention that and acknowledge it.

Lage: Well, that's important.

Gardner: Growing up in Berkeley I had the advantages of fine public schools, athletics, music, and the out-of-doors on the farms in Utah and in the mountains at Echo Lake, and later on even some of the intellectual and artistic life of the university. I had the advantage of a safe environment--Berkeley was a safe place in those days--and a comfortable and steady life at home with a father and mother who were loving and present. And while we never had a lot of money, we never wanted for anything that counted.

Lage: Very secure in every respect, except for your mother's death.

Gardner: Very secure other than for her profoundly untimely death. I mention that because that sense of security has stayed with me, and it's been a very important part of my ability to cope with pressure and stress and controversy and difficulty.

Lage: Was your father a person who could cope with a lot of pressures?

Gardner: No. He worried too much, and he did not like controversy. I don't either, but at least I can cope with it.

Lage: What were the family's circle of friends? Were they university people?

Gardner: Most of our neighbors were university people. The parents of most of my friends were university people.

Lage: It was really a university town.

Gardner: It was a university town. So I had the university circle, I had the church circle, and I had the family circle, all distinct but all very much an integral part of my life experience. And then, of course, proximity to San Francisco and all the city had to offer as well.

Lage: You mentioned hanging around the Berkeley campus.

Gardner: Yes, I used to hang around the campus. I would come down, and we would play ball on its grounds. I would occasionally attend a lecture when I was a little older. I enjoyed the musical opportunities, and of course the athletic activities, and we would go up to Jules or whatever up on Telegraph Avenue, when it went right up to Sather Gate. I remember watching the communists and other political activists sharing their views of the world from almost literally soapboxes at the entrance to the campus. As you know, they weren't allowed on campus in those days.

Lage: Right. Now, was that throughout the war and postwar period?

Gardner: Oh, this is even sooner, when I was seven or eight years old. When I said I was a little out of bounds, I was. I would hop on a bus and go down to the campus on my own initiative, I wouldn't tell anybody.

Lage: Even when you were very young?

Gardner: Yes. I would just go down there and wander around.

World War II Years in Berkeley

Lage: What do you remember about wartime years in Berkeley?

Gardner: Well, that's interesting you should ask that. I do remember the blackouts that we had and the black drapes that we put on our windows, or shades, as the case may be. More than once, we would have to turn all the lights out and go down to the basement and have our dinner while the test air raid went on. I remember all the gun emplacements along Bayshore, from Golden Gate Fields all the way around over to the bridges.

Lage: Facing out towards the bay?

Gardner: Yes, I saw them there. I'll never forget one night looking out on the bay and it was just black with ships. Convoys would go in and out of San Francisco Bay. The Bay was black with ships, and I thought, My gosh, there are a lot of ships out there. I was just a kid but I remember all this. And the next morning, most of them were gone. They had slipped out of the Golden Gate over night. I've always remembered that.

And I remember when much of the air force moved from Europe to the Pacific Theater after V-E Day, and they flew over on their way to Hawaii and to Asia. These were the B-29s or B-18s, whatever, the bombers. The bombers went over. I was out mowing the lawn in the front of the house, and I felt the ground shaking. I thought, What is that? I thought it was an earthquake. Then I heard this dull roar, and I looked up and I didn't see anything at all. Then within three or four minutes, there they were: as far as I could see south and as far as I could see to the north, darkening the sky, on their way west to the Pacific Theater. I've never forgotten that.

And then, of course, all the soldiers and the sailors who were always around. I remember the day World War II started, at least for this country, at Pearl Harbor. We were at church that

morning, and halfway through the service they announced the bombing of Pearl Harbor, and there were a lot of soldiers and sailors in the audience. They got up and left. They were all running down to catch the F train along Shattuck Avenue to get back to T.I. [Treasure Island] or Oakland Army Depot or wherever they were going.

Lage: You seem to remember well. Are your memories vivid of these times?

Gardner: Yes, they're very vivid. I remember them clearly; at least, I think I remember them clearly. Who knows? But that's my recollection of it. My father, of course, was forty-one years old. He was never drafted, with having just lost his wife--

Lage: And having four children.

Gardner: Four children--three at that point, and a new wife, he didn't feel like he could go. So he never was in the service.

Lage: Was there any anxiety for young people or for yourself connected with air raids?

Gardner: No. It was for me a great adventure. I never thought about it.

Lage: You didn't worry about what might happen?

Gardner: No. In fact, on one occasion I was grateful for it. At that time, I was eight or nine, and I was boxing down at the YMCA on Milvia Street, and I was not very good. Without my glasses, I was even worse. I was down there one night in a boxing match. It was a three-round bout, for the kids that age, and I was getting killed. There was an air raid drill and the fight was stopped in the second round. Saved my life. I've never forgotten it, and I've never boxed since. We were sitting in the main lobby of the YMCA waiting for the air raid to end, I've always remembered that. So I do have some recollections of that.

Lage: Yes. Do you remember anything connected with the Japanese relocation, any schoolchildren or friends?

Gardner: Yes. My mother is buried at Sunset Lawn Cemetery in El Cerrito. After church on Sundays, we would pick up some flowers and go to the grave on the way home. There was a little floral shop--it's still there--but it was owned by a Japanese family. I wish I could remember their names, Yamamoto, or something like that. I just don't. But we struck up a friendship, and they expected us every Sunday. I remember my dad talking to them, and they were very nice. And they were relocated.

There were some others in my school who were also relocated, but I didn't have quite the identity with them that I did with the florists whom I saw every week.

Then, as I indicated, I would work on my uncles' farms and ranches. Well, at that time I worked more on the farm than the ranch. Two of these farms were in Delta, Utah, on the road to Ely, Highway 50. There was a relocation camp there. It was across the street from one of my uncles' farms. My father and I were walking down the road one day to check the irrigation ditch for the farm, and we walked by this relocation camp. All of a sudden, I heard, "Mr. Gardner!"

Lage: Oh, no!

Gardner: Yes. And there that family was that had owned the floral shop. My dad hadn't known where they had gone.

Lage: And you were on the other side of the fence.

Gardner: Yes. I think it was the most embarrassed my father has ever been in his life. I always remembered it. They had a nice visit and so forth, and then they had them in to Delta for dinner, and Dad did what he could to help. Our family in Delta helped also.

Lage: So they could leave the camp?

Gardner: They could. They were able to go in, and--yes. And they worked on some of the farms.

Lage: Did your father talk to you about it?

Gardner: He never talked to me about it. I think he was too embarrassed. I've always remembered that.

Lage: Yes, that's interesting. I'm glad I asked that.

Gardner: I'm glad you asked it too.

Lage: Do you remember the demographic changes in Berkeley and Oakland after the war?

Gardner: Yes, I do very clearly.

Lage: Was this something that kids your age were kind of aware of?

Gardner: We were aware of it, because it changed the whole nature and character of the East Bay. You recall that during World War II, it was at the Kaiser shipyards in Richmond where most of the

Liberty Ships were built. They were the freighters for the supplies that were needed in the Pacific War. They were turning out one every few days.

Lage: It was amazing.

Gardner: Unbelievable, actually. I remember going out to watch some of the launchings. They didn't have enough skilled help, so they brought trainloads of people in from the South: blacks in from the South, whites in from the South, others in from the South, and housed them in public housing in Richmond, as I recall. This is my recollection. They were paid pretty well, and they were the ones who did the work building these ships. So they developed skills, electrical and welding and plumbing and all these skills, iron and steelworkers and so forth.

After the war, quite naturally, they wanted to get out of public housing, and they could afford to do so. So they distributed themselves across the East Bay. But times were not as racially tolerant then as they are now so it was not easy, especially for the blacks, to find housing in the "better" areas of the city. So there tended to be a clustering and outright discrimination in terms of housing, and I presume employment as well, though I'm less conversant with that.

That division of the community by race, whereas previously the division had been predominately socio-economic, changed the social context of the Bay Area, and I do remember that.

Lage: Did you notice it in your school?

Gardner: Not so much in Berkeley High, because most of this was in Oakland and Richmond and South San Francisco, although there was a little of it in Berkeley. I do recall there were feelings and apprehensions and concerns about the social integrity of these communities, and it was not just the race, it was the growth that was occurring, too. Tremendous growth, as we all remember, coming as a function of World War II, and San Francisco being a major port of call, and people poured into the San Francisco Bay Area from all over.

It was the growth, together with the introduction of a greater number of minorities, mostly black, that created in the minds of people a level of concern about the social integrity of these communities that I don't recall having observed earlier. It may have occurred earlier with the Depression; but if it did I just didn't pick it up.

Lage: Yes, you were pretty young then.

Gardner: Anyway, that's what I remember. But I don't remember it being anything with which I thought I ought to be overly concerned, because when I was at Berkeley High School, I had friends in all of those communities. I was president of my sophomore class and of my junior class. I was president of the student body my senior year. So I just got along with everybody. I never had a problem getting along with people.

Lage: You got into student politics.

Gardner: Well, I guess so. People got interested in my doing it. I never really sought it, but I just kind of wound up doing it. I enjoyed it; it was fine.

Employment as a Youth

Gardner: I should mention also that when I turned thirteen, my dad said, "Well, we will provide your home and your food; you're going to have to provide everything else, and we'll give you twenty-five cents a week to help." So I had to buy my own clothes and my own entertainment and everything else.

Lage: Was it the same with your brother?

Gardner: Well, my older brother had it made, because being four years older when the war was on, there was nobody to work in the stores, so they were hiring kids who were thirteen and fourteen and fifteen years old. My brother had a terrific job; he was making all kinds of money. I think my father saw that, and then transferred his practice with my brother to me, but I didn't have the job opportunities my brother had.

Lage: That was in '46 when there were all the returning veterans.

Gardner: Yes, so I was just dead in the water as to employment.

Lage: So what did you do?

Gardner: Well, I had to go and hustle it up. I did gardening for the neighbors, I would mow their lawns, and I would take care of their houses when they were on vacation. I had a newspaper route for some five years. I delivered the *Berkeley Gazette* and the *Shopping News*. My route for the *Berkeley Gazette* was the apartment area of north Berkeley. You know, Euclid Avenue and the streets off of it, just north of the campus.

Lage: Yes.

Gardner: There are a lot of apartments there. And the way it worked was that the newspaper company would sell the paperboy the newspapers. Then he had to collect the money from the people to whom these were delivered. What I charged them was slightly more than what the newspaper charged me, and that was my margin of profit. But living in an apartment area, these people were in and out. I would deliver the newspapers, I would go to collect, and they were gone. So it wound up costing me twenty bucks a month or something to deliver *The Berkeley Gazette*.

Lage: Were they students?

Gardner: I think mostly students. I don't even know who they were; they were just people I delivered the newspaper to.

Lage: Deadbeats.

Gardner: Deadbeats, that's what they were! And I thought, Something's wrong with this arrangement. So I quit that, but then I got a paper route for the *Shopping News* up in my home area, and that was good. They paid me!

Lage: So were you able to keep your end of the economic ladder?

Gardner: Oh, yes. Then my uncles would pay me a little for working on their farms, and I would make money in the gardens on Saturdays. I would also help my dad in the garden sometime; he paid me a little bit for that, that is if I did that in lieu of going out and getting work somewhere else.

Lage: Is this something you think was important in shaping you?

Gardner: Well, it taught me what a dollar was.

Lage: And what the loss of twenty dollars was.

Gardner: Yes, right. I never felt that it was deleterious; I thought it was a positive experience.

More on Education and Growing Up in Berkeley

Lage: Did your family have a television?

Gardner: No, never had a television during my childhood.

Lage: All the time you were growing up? It would have been towards the end of your high school years that televisions were becoming more common in homes.

Gardner: Never had one. It would have been marginal, toward the end of my childhood, but we never had a television. We did have a radio, and we loved listening to Jack Benny, Fibber McGee and Molly. I would come home from school and listen to all of these kind of crazy shows, Captain Midnight and Jack Armstrong the All-American Boy, and all that stuff. I enjoyed it.

Lage: How about film? Did you go to movies?

Gardner: Yes, I would go to movies. I enjoyed movies.

Lage: Was this something important or memorable?

Gardner: I wasn't a devotee, no. I just enjoyed a movie; let it go at that. They only cost ten cents at the time.

Lage: I'm just trying to get a sense of what kind of a kid you were.

Gardner: Yes. I was a good kid.

Lage: You sound like you were outgoing.

Gardner: I was outgoing, and I had a lot of friends, and I enjoyed doing things. I didn't like sitting around. I was always out playing ball or going for a hike or anything to keep busy.

Lage: You did well academically in high school. Was this a focus or just something you did with your left hand while you were doing a lot else with your right?

Gardner: Well, I was always involved in doing things. That's been true of me most of my life. I have not wanted to do just one thing. I am interested in too many things for me to do just one or two things. I was interested in athletics. I enjoyed my music. For example, I would get up in the morning at six a.m. from age twelve on, and I would hitchhike down to my church at six in the morning wearing Levi's and a white t-shirt and that was it, morning fog and all, and I would practice on the pipe organ for an hour, and then I would walk to high school or junior high school.

Lage: A lot of discipline, too.

Gardner: Yes, it was. I would do that; I enjoyed that. Then I would play athletics after school. I would have to get home as best I could

from junior high school. I would either take the bus or I would walk.

Lage: It's a ways out there.

Gardner: All the way home, it was a long way and it was all uphill. So I did that.

And then as far as my schooling was concerned, reading always came easy to me, but mathematics did not and science did not. I had a real hard time with those. I was also color-blind, which made it very difficult for chemistry. I was always screwing up litmus tests. I would not say that academics were at the center of my life, although I wanted to do well enough that I had options in terms of colleges.

Lage: Were there any teachers that were particularly important? You mentioned Emery Curtice as a mentor. Were there others?

Gardner: Well, my third-grade teacher was really great, Miss Joyce, I think it was. She was terrific. She encouraged me, and she would invite me over with some school friends to her home. We would even go to ball games in Berkeley with her sometimes, and she was terrific. It was a big help.

Then Mrs. Curtice.

Lage: The same family?

Gardner: Yes. She taught junior high school. My introduction to the Curtice family came my first day at Garfield Junior High, when I was sitting in a class being taught by Mrs. Choicer. This was the first day, so she went around the class and said, "Well, Mary Jones, do you have an older sister Jane?" "Oh, yes." "Well, she was terrific, wonderful, I'm so glad to have you."

She got to me and she said, "Do you have an older brother named Reed?" I was proud, I said, "Oh, yes, that's my older brother." "I will not have you in my class," she said indignantly.

Lage: Oh, you're kidding!

Gardner: No, that's exactly what she said, because Reed was hell on wheels.

Lage: Oh, really? You haven't told me this.

Gardner: Oh, yes, he was. She did not get along with him, and she was not going to go through a second Gardner. Now, Lou Curtice was in the class, and she thought this was an outrage.

Lage: Well, it is a bit of an outrage.

Gardner: It is, actually. I was just devastated. So Lou went upstairs and told her mother, who taught ninth grade. She liked my brother Reed a lot, they got along fine. He did beautifully for her. She went down and got Mrs. Choicer straightened out, so I stayed in the class. [laughter]

Lage: And then later, did you have Mrs. Curtice?

Gardner: Yes, I did have Mrs. Curtice later. She was hard on me, as she should have been.

Lage: Was there a big contrast in a lot of areas with your brother? Were you more the good kid?

Gardner: Yes. My brother was more adventuresome, if I may put it that way, who was a little--well, he was older when my mother died. I think that had more an effect on him. He also had money earlier than any of us--

Lage: With all these successful jobs.

Gardner: Yes, that's right, during the war. He bought a car when he was sixteen, for example, with his own money, bought a Model A, and got a ticket the first day he drove it. So he was that way. I was a more conventional kind of kid, basically.

Lage: But you went through school doing okay, it sounds like.

Gardner: I did okay. Of course, my parents wanted me to do well enough to get into Berkeley.

Lage: Was that always the goal, that you would go to Berkeley?

Gardner: Well, no, the academic goal was to do well enough to go to Berkeley if I wanted to. I was almost there, but having been as active as I was in high school, in student government and in a lot of other things, and active in my church, keeping up my music, and doing all these other things that I enjoyed, my grades were not what they might have been if I had just focused on them full-time, as some people did, but I didn't. So I was okay. I would have barely gotten a 3.0 except for my chemistry grade in the twelfth grade.

Lage: Well, blame that on your color-blindness.

Gardner: I tried to, unsuccessfully. Robert Rice was the teacher, later very much involved with the Lawrence Hall of Science here on campus, and I've seen him quite a bit since. A wonderful person. I went in about six weeks before the end of the year and said, "My getting into Berkeley is going to be a close call. What grade am I likely to be getting in this class?" I asked because I had not been doing well.

He said, "Well, you have a D+." Of course, they don't even count it if it's a D+, and I needed chemistry to get into Berkeley. So I explained my problem to him, and then said, "Is there extra work I can do to get my grade up so I can get at least a C in the class, assuming I do okay on the final?" He said, "Extra work is not the problem." [laughter] I was the problem, in terms of chemistry anyway.

So I explained the difficulty to him, and it was clear that I was trying. I said, "I was gone a lot because of my student body activities and--" "Ah, don't give me any excuses," he said. "You just don't have it in this area." I said, "That's true, but I need to get a C. So what can I do to get a C?"

He said, "Look, I'll cut a deal with you. If you promise never to take another chemistry class, I'll give you a C-." I agreed and he gave me a C-. [laughter]

Lage: Oh, my goodness! And you did?

Gardner: And I did. We both honored it.

Lage: So did that get you into Berkeley?

Gardner: Yes.

Lage: You got a 3.0.

Gardner: I got into Berkeley, I got a 3.0.

Lage: It wasn't as hard to get into Berkeley in those days?

Gardner: No. If you were eligible, you were in. I would have never gotten in today, not a chance. That raises some interesting questions, doesn't it?

Now, what else is there in growing up?

Lage: Yes, before we get to your college years, are there other things that we've missed?

##

Gardner: People frequently mentioned to me that I spoke well and that I seemed very much at ease in speaking to a large audience. I was very much at ease, and I wanted to mention why I think that was the case.

In the Mormon church, from age five on, children are asked to speak in church for two minutes once every six to nine months; and I did so. I was also president of my junior high school in Berkeley, and later president of Berkeley High School when I was there, and had occasion at both places to speak at weekly assemblies to large numbers of people. At the Berkeley Community Theater, which is on the Berkeley High School campus, we would have a weekly assembly of maybe 2,000 students and I would speak there on a regular basis. So it was very easy for me to speak to large crowds of people.

Lage: In the church, did you stand up in your place or go up to the front?

Gardner: Oh, I would go up to the front, speak from the podium. Two-and-a-half-minute talks, they called them, which I thought lasted forever. [laughter] But those were good experiences. They held me in very good stead, because I did my best work when not reading from a text, when I would say, I was pretty average. I did my best work in less formal and more spontaneous or extemporaneous circumstances, as well as give-and-take with audiences, Q and A with students or with faculty or with alumni or with the press. I always felt very comfortable with that, and I think I was able to be effective in that arena. I want to credit my experiences as a boy as the basis for that.

Lage: Were you ever a debater?

Gardner: No, but my mother was a debater, a very successful one. She won the LDS church competition when she was a young woman.

##

Lage: Do you want to record anything else about Berkeley High, what it was like?

Gardner: I enjoyed Berkeley High School. I enjoyed the diversity of the high school. I had friends in all of the ethnic communities.

- Lage: Was that common, that people would cross those community lines?
- Gardner: No. Well, not uncommon, but I found it to be a little easier than most, I think.
- Lage: What ethnic groups are we talking about?
- Gardner: Oh, the black students, a lot of Asian students, some Mexican-American students. The socioeconomic break was almost more pronounced than the racial one.
- Lage: Did it mirror the racial lines, or were there a number of poor white?
- Gardner: No, a lot of poor white--mostly poor white. And I had a lot of friends there, too. In fact, some of them still are friends today.
- Lage: Were they people who had come during the war also, or was this just the Berkeley community?
- Gardner: No, these were mostly Berkeley people, and some I played against in basketball in junior high school. I met them that way, you see.
- Lage: Why do you suppose you were able to cross those lines more than the average?
- Gardner: I don't know. First of all, I'm outgoing, I do like people. I'm not an insecure person.
- Lage: Did the church cross those lines at all?
- Gardner: Not as much then as it does today. It does today rather dramatically, but not so much then. It was pretty homogenous.
- Lage: What economic groups were in the church?
- Gardner: In Berkeley, it was principally middle and upper middle class.
- Lage: So it didn't necessarily bring in any diversity.
- Gardner: No, it did not. It was a fairly narrow band, actually.
- Lage: You've mentioned in various articles being on campus as a youth, and we haven't talked about that very much. Was that important, going to lectures and so forth?

Gardner: Oh, it had a dramatic effect on me. I remember attending Charter Day ceremonies several times. I was just interested in what was going on, and I liked that. All the basketball and football games. I enjoyed concerts. This is odd for someone in his early teens, actually.

Lage: Right. Well, you had the pipe organ, maybe that's an influence.

Gardner: Well, that may be right. I had a lot of friends who lived around campus. Their fathers were professors. We would go down to campus to play football or whatever.

Lage: It's like a backyard.

Gardner: It was like a backyard. And then, of course, Telegraph Avenue, as you know, came right up to Sather Gate at that point and there were a lot of stores that we enjoyed, soda fountains and things like that. And the public transportation was good, so I could get home from there without a problem.

Lage: It sounds like a nice life.

Gardner: The Berkeley campus was simply part of my growing up, almost a backyard for me in that sense, that's true.

Lage: We do have an interview with you about Robert Gordon Sproul.¹

Gardner: I remember.

I think having been born and raised in Berkeley introduced me to a level of sophistication and worldliness that I would never have had if I had been born and raised in Utah, but I had parents who were born and raised in Utah who brought those values, and that's a very nice balance.

Lage: When you say "those values," were those rural values, or were they Mormon values?

Gardner: Well, both, but they mesh in many ways. A respect for hard work, a respect for what it takes to earn a dollar and to be responsible in terms of money. A respect for other people's religions and beliefs. A respect for education and the opportunities that open up. I mentioned hard work, didn't I?

¹David P. Gardner, "Associations with and Observations of President Sproul," in Robert Gordon Sproul Oral History Project, Volume II, Regional Oral History Office, University of California, Berkeley, 1986.

Lage: Yes.

Gardner: And self-discipline. That is, if you do something wrong, don't blame someone else. You are responsible for what you do.

Lage: So those things came--

Gardner: Those things all came both from the church, and they are also rural values to a considerable extent, so these were double reinforcements. So I had on the one side of the coin, that pulling at me, and then the worldliness and sophistication of the other environment in which I grew up pulling on the other side, and it was a terrific combination.

Lage: Did you notice that your Berkeley friends were different because you had these values?

Gardner: Well, I would say most of my friends shared those values. They were all achievers, and they all kind of had the same experience I did. I had some friends who were pretty wealthy, but I didn't identify with them quite as closely. Most of my friends were middle-class kids.

Lage: Middle class of that era.

Gardner: Yes.

Lage: Well, I think we've gotten a good picture.

II COLLEGE, ARMY SERVICE, AND GRADUATE STUDIES

First Semester at UC Berkeley

Lage: And then you went to Berkeley, I understand.

Gardner: I went to Berkeley in February of 1951. I was a mid-termer, and I went to Berkeley for my spring semester. I also flunked the Subject A exam so I had to take Subject A.

Lage: Oh, my goodness! These are all revelations here.

Gardner: I know, and I was good in English. I don't know what happened. Actually what happened was that the test was on a Saturday morning, and I was in San Francisco dancing until four a.m., and I just missed being mentally there for it.

Lage: With Lou?

Gardner: I think with Lou, I'm not sure; and I just missed it. That's all there is to it. So I screwed it up, basically. I had to take the class, but I'm just as glad I took it. I learned a lot in it, actually, so it was fine.

But I enjoyed Berkeley, I had a lot of friends there, and having been born and raised there, it was not like going to college. It was just an extension almost of high school in one sense. I really wanted to get away.

Brigham Young University

Lage: Did you always think it was just that one semester you were going to Berkeley?

Gardner: I wasn't sure. But after I was there for one semester, I thought, This is too familiar. Same friends, same everything--too familiar for me. I need to break away and be on my own. So I went to Brigham Young University.

Lage: And did your family agree with that?

Gardner: They were happy with that, that was fine.

Lage: They don't sound too controlling.

Gardner: They were not. I think if I were really going off the deep end, I would have been pulled back in a hurry, however.

So then I went to Brigham Young University. There were only 4,000 students when I arrived there. I found it to be very congenial place. Unlike today, where they have dress codes, there was no dress code there and people were quite relaxed at BYU at that time. I had a hard time my first year because it seemed to me to be a much less dynamic place than Berkeley had been. It was a less intense place. The expectations in the classroom were less exacting. It was dominated by students from Utah who were a little clique-ish, I thought.

I had some difficulty adjusting, but then I found my pace and stride, I found my own friends. I never was satisfied with the minimum requirements of the classroom; I always was interested in doing more, so I did it on my own.

##

Gardner: I also enjoyed the area. I could finish my morning classes and twenty minutes later be on the ski slopes. Or I could take my fishing pole and fish a whole series of beaver dams or rivers or lakes within twenty, twenty-five minutes off the campus. I liked that.

Lage: You had Echo Lake right there on campus.

Gardner: Right there, yes. I enjoyed that. I just found the whole atmosphere, after I adjusted to it, to be really quite wonderful. I was happy there.

Lage: You went into political science?

Gardner: No, I could not decide what to major in, because I was interested in so many things, so I took three majors: political science, history, and geography. They all interact, in a way, but I had three majors there.

Lage: But you stayed out of chemistry.

Gardner: [laughter] I certainly stayed out of chemistry. I took geography which substituted for my sciences. And I had, I would say, a very mediocre academic record my first two years, B's. I just wasn't caught up in it and wasn't taking it as seriously as I should. I was having a good time. But my last two years when I got into my majors, I had all A's as I recall. I had a 4.0 coming out my last two years, or very close to it. I also took a teaching certificate.

Lage: Oh, you did, in those four years?

Gardner: Yes, did my student teaching and all of that. Actually, it was four and a half years of university work for my Bachelor's Degree, if you include my one semester at Cal.

Lage: So again you were a busy person.

Gardner: Yes, I was.

Lage: Was it a social campus? Were there fraternities and sororities?

Gardner: No. But it was a small enough campus that you really didn't need that. You would know maybe 20 percent of the student body on a first-name basis. And I liked that.

Lage: So it was a good experience. Were there any professors of particular import?

Gardner: Oh, Stewart Grow and Galen Caldwell, who were not famous scholars, but they were superb teachers. They cared about you, and they challenged you. I remember Professor Grow, who is now deceased, called me into his office upon graduation. I was trying to get his advice in terms of what I might do in life. He said, "Look, Gardner. You're not brilliant. But you're very bright, and if you work hard, you can do almost anything."

Lage: Now, that's a nice thing.

Gardner: I thought it was nice, I've always remembered that.

Lage: Of course, it didn't help you define what you wanted to do.

Gardner: No, not at all.

Lage: Was this something that troubled you, that you really didn't quite know?

Gardner: No, didn't trouble me at all. I have never worried about it. Moreover, although the Korean War was over in '53 and I graduated in '55, the draft was still on. I was asked if I would consider going on a mission for the Mormon Church upon graduation. The Berkeley draft board at that time was decidedly unfriendly to Mormons.

Lage: They didn't allow this as a deferral?

Gardner: Well, they had drafted a cousin of mine off his mission. Unprecedented. And they in effect told me that they would do the same if I were to go on a mission.

Lage: That if you went on a mission, they would draft you off of it?

Gardner: They would. I then asked about law school, because I had applied to Boalt Hall and had been admitted for the fall of '55. I asked the draft board, "If I'm not going on a mission and deferring my admission to Boalt, what would your attitude be toward drafting me if I were at Boalt?" They said, "Well, there's no guarantee we won't draft you out of Boalt." I said, "Okay."

Lage: This is with no war going on?

Gardner: This is correct. This is 1955.

Lage: Sounds bizarre.

Gardner: Yes, I thought so. But that was it.

Intelligence Service for the U.S. Army

Gardner: I decided, I'm not going to go to Boalt with that hanging over my head, and I don't trust these people. So I enlisted in the army.

Lage: Is this how you got in the intelligence unit?

Gardner: Yes. If you were drafted, it was two years. And then if you enlisted, it was for three. But for a short time, they had a window where you could enlist for two. I thought, I'm going to enlist and get this over with, so I did. I went down to Fort Ord near Monterey for my basic training.

At the end of my basic training, I thought, I'm going to be in the infantry, and I really don't wish to be in the infantry. I don't wish to be in the artillery, because it's too noisy. I

don't wish to be in the tank corps, because I don't want to be inside one of those things. I thought, What am I going to do for two years?

I then heard about counterintelligence school, the Army's counterintelligence corps, antiespionage, antisabotage unit. So I went over and talked with the representative at Fort Ord. He said, "Well, sorry, we're all filled up. The class that you would go into upon completion of your basic training has been filled." Okay. I walked out with him, he was a nice guy.

He said, "Where did you go to college?" Kind of passing the day as I was walking out the door. I said, "I went to Brigham Young University." He said, "Are you a Mormon?" I said, "Yes." He said, "You're in."

I said, "Well, you just told me a minute ago that it was filled." He said, "Well, it's not filled for you." I said, "Are you a Mormon?" He said, "No, no. But we've found Mormons to be less subject to blackmail. They don't drink, they don't womanize, and they're a very good security risk, and we would like to have you in." So I got in.

Lage: Now, maybe that's why the Berkeley draft board was hostile to deferring Mormons.

Gardner: Who knows? It worked both ways, in any event. In one case, it was a disadvantage; another case, it was an advantage. I thought it was astonishing in both cases.

So I went back to counterintelligence school at Fort Hollabird in the Dundalk section of Baltimore. I was there for six months being trained. I was scheduled to go to Europe on completion of the program, and at the last minute I was assigned to go to Korea and Japan. Six of us were shipped off to Japan. When we arrived in Japan, we were told that we were being retreaded into a positive intelligence unit, and would not be in counterintelligence.

Lage: What's the difference?

Gardner: Counterintelligence counters the intelligence effort of foreign governments. Positive intelligence is where we go out and get the information we need.

Lage: This was a more hazardous job?

Gardner: Oh, yes. We were retreaded from CIC, counterintelligence corps, to this other unit, and were given additional training in Japan. I was then shipped to Korea.

Lage: Now, the war was over.

Gardner: The war was over, but it was still a very hostile environment there for those of us in intelligence work. Korea was devastated. The city of Seoul looked like a rubble heap, by and large. It was a mess. There were people starving in the streets, there were orphans by the tens of thousands running around with no one taking care of them. It was a bad scene.

I was assigned to Wolmi Do, which is an island off Inch'on. We were operating in the Yellow Sea carrying out our obligations in East Asia, I'll put it that way.

Lage: [laughs] Is that all I'm going to hear? You've mentioned it was dangerous.

Gardner: It was very dangerous.

Lage: Could you tell more about it? Because you've said that this experience built character.

Gardner: Well, it did have an impact on me. It brought the real world home to me. I was on a field team, we were in field operations, and we had responsibilities for getting certain information out of China, Manchuria, and North Korea. So we did.

Lage: In what way?

Gardner: I'm not able to go into it.

Lage: You really can't?

Gardner: No, I really can't, but that was our job. I was in an undercover role for over a year and a half, with a different name.

Lage: Was this an anxiety-producing situation?

Gardner: Well, there was more than once when I wondered how the hell I ever got there. How did I ever wind up here?

Lage: And why did you choose this--

Gardner: I didn't choose it. Oh, I chose CIC; I didn't choose positive intelligence. They just moved us into it. But we operated on the Yellow Sea with Chinese junks and North Korean sampans,

equipped with silent, diesel marine engines. We had responsibility to get certain pertinent information out of those countries, so we did.

Lage: And you were successful?

Gardner: I would say it was mixed.

Lage: Was it something of a growing experience for you?

Gardner: It helped me mature.

Lage: How did you feel about service to the country?

Gardner: Fine. I didn't have any problem with that at all.

Lage: I mean, this was something you saw as a necessary--

Gardner: Yes, it was necessary. I was less frightened out in the field than when I was rendezvousing with agents in Inch'on at two in the morning. Inch'on, on the Korean west coast, was the smuggling center of the Yellow Sea, had been for years. We would rendezvous with our contacts and agents in safe houses in Inch'on. These were always in miserable sections of the city and always in the dark of night. I would go up to meet with them, and there were no street lights. I remember the cut glass that people had over their shops and homes there. They would blow and make noise because of the wind off the Yellow Sea, and rats scurrying around. I was scared to death.

Lage: And there's nowhere to hide yourself.

Gardner: Oh, no.

Lage: You must have stood out terrifically.

Gardner: Oh, sure but not so much at 2:00 am. That's why it was at night. We were well armed. I had a .45 on my hip and a .38 under my arm, a sleeve knife on my right arm and a black-jack in my coat pocket. And I knew how to use them.

Lage: Did this prepare you for the regents' meetings?

Gardner: [laughs] Yes, well, the student protests seemed rather tame in comparison.

Lage: That's a fascinating part of your life.

Gardner: I'm not sure what I'm really at liberty to say. I think probably not a lot.

Lage: Well, anyway, we know that you had this kind of experience.

Gardner: I did, for almost two years. And it did have an impact on me, helped me grow up.

Lage: Sounds like you were fairly mature anyway.

Gardner: I was, but this really polished it off, I must say, because I lost some friends over there during that time.

Lage: In your unit?

Gardner: Yes.

Returning to the States; Summer School at UC Berkeley, 1957

Lage: Well, let's get back to the States. When did you meet your wife?

Gardner: To the States. Well, I'll tell you how I got to Berkeley, because it links up, and then I'll come back to Libby.

One of our agents, my agent, in this instance was either a double agent or sold out or was captured in North Korea, I don't know which.

Lage: A person that you worked with.

Gardner: Yes. My cover name was broadcast over Radio P'yongyang and Radio Peking. When that happened, my commanding officer came and he said, "You've got two hours. Pack up your stuff. As far as we're concerned, you don't exist. So you pack up your stuff and you're out of here in two hours." They flew me to Tokyo, I got on a plane in Tokyo, and I flew to the Bay Area, and the next day I was out of the army.

Lage: Quickly!

Gardner: Just in time to enroll in summer session at Berkeley. And this was 1957.

Lage: What a sea change! Just overnight?

Gardner: Just like that.

Lage: Did you welcome that?

Gardner: I was disoriented. You can't come from that environment into the Berkeley environment that quickly, and I was disoriented. It was a problem for a period of time.

Lage: What was your code name? You can tell that.

Gardner: No, I'm not supposed to do that.

Lage: Truly, I didn't realize that this kind of security would continue for so long.

Gardner: Oh, yes. My cover name had the same initials as my own so that I could remember it.

Lage: Well, I'm glad you made it back.

Gardner: I am too.

Lage: So even though you were disoriented, you enrolled.

Gardner: I stuck with it and got through it, and it was hard for me.

Lage: And what was your goal there?

Gardner: I was going into the public administration program at Berkeley.

Lage: So at some point you had come up with your career goal.

Gardner: I had decided in the army not to pursue Boalt Hall but to go into public administration, city manager work.

Lage: What made you think of that?

Gardner: Well, nothing from the army, but in my political science work at Brigham Young, I had been interested in that aspect of it, and I thought being city manager in those days would have been kind of an interesting job. That's how I was headed, at least at that time. So that summer I took courses that I should have had as an undergraduate, statistics and so forth, that I hadn't had but which I needed for this program, to which I had been admitted in the fall. I had already made the decision. I had made my applications but had not expected to get back in the summer. I had expected to get back for the fall term. I was to have been discharged from the army in September.

Meeting and Marrying Elizabeth Furhiman

Gardner: I ought to go back now and talk about Libby. The summers that I was not working up at Echo Lake and not back in Utah, and these were the summers out of high school into college, I worked on the Oakland waterfront at a dry goods merchandise wholesaling warehouse called Skaggs-Stone. Mr. Stone was a friend of my father's, his sons and I were very close, and he would give summer employment to college students, I being one of them. Libby's mother and father were friends of the Stones' too, so the girl who was to become my wife, Libby Furhiman, was working there as well. She worked in the office. She was paid a dollar an hour. I worked in the warehouse and was paid \$1.55 an hour, and she thought that was an outrage. I had to pay for all our dates as a result. [laughter]

Lage: Well, in those days, that was standard.

Gardner: That was the custom anyway. She gave me a bad time about that.

When people asked later, "Where did you meet?", I said, "Well, we met on the Oakland waterfront." Libby said, "Don't say that. People are going to wonder about it." But that's where we met. We got acquainted during the lunch hour when all the college kids were out eating lunch.

Lage: While you were still at Brigham Young?

Gardner: Yes. She had been at Stanford. She graduated from Piedmont High School and was at Stanford. But for both financial, I think, and other reasons, she transferred to BYU, so she was at BYU my last year.

Lage: I see, and you had already known her.

Gardner: And I had met her the previous summer. But in all candor, we didn't hit it off when we first met. Then I saw her one day just by chance in the spring term at BYU, and I thought, Gee, she's really cute. So we dated a little that spring. Then we dated a lot that summer, which was the summer of '55.

Lage: Back home.

Gardner: Back home, where we both were still working out there on the waterfront. I was going to go in the service that fall, not being able to go to Boalt Hall without the threat of the Berkeley draft board hanging over my head. She was going back to BYU, but we dated a lot that summer. I went in the service, she went back

to BYU. We didn't have any understanding or anything at all, so she was dating like mad back there, having a great time.

Lage: Were you corresponding?

Gardner: We were writing. We wrote every other week, so we kept that tie up.

So when I came back and was scheduled to start graduate school in the fall, she had meanwhile transferred to UC San Francisco in the dental hygiene program, and she had completed one year there. My first year of graduate school in 1957 was her second year, I think, of dental hygiene school. Her last year of dental hygiene and my first year of graduate school was '57-'58.

When I came back, I had a lot of competition over there. All these dentists and docs were hustling her up, you know.

Lage: And you're still a poor graduate student.

Gardner: I was, but I came back in the summer, and it saved me. We had an opportunity to date that summer before all these guys who she had been dating came back to medical and dental school in the fall. So that saved me.

We got engaged on Thanksgiving Day, '57, and got married in June of '58, when she finished dental hygiene school. We were married in the Salt Lake Temple and our reception was at the Alumni House on the Berkeley campus. That's how we first met. She earned good money as a dental hygienist and she made the difference financially during my early graduate work at Berkeley.

Lage: Oh, that's a wonderful story.

Gardner: Yes. And we had a lot of mutual friends, but we had never connected.

Lage: You had not met in the East Bay.

Gardner: No, we never connected.

Lage: I'm assuming she came from a Mormon family also.

Gardner: She did, yes.

Lage: But there wasn't back and forth--

Gardner: No, because they were in a different, what we call stake. We were in a different stake, on the order of an archdiocese, as it were.

Lage: Did we have a Mormon temple here then?

Gardner: No. It was under construction right after we were married. So that's how we met.

Lage: That's great.

Graduate School in Political Science, UC Berkeley

Gardner: At Berkeley, I was taking my M.A. in political science. My major advisor was Professor Gene [Eugene C.] Lee, later a good friend of mine. He was the one who oversaw my master's work. He oversaw this program.

Lage: Was this towards city management, public administration?

Gardner: Yes. It was a two-year master's degree, and the first year was all courses. The second year there were some courses, but also an internship. I had started my internship about the time Libby and I were married, in June of '58, having completed my first academic year. I was working at the city manager's office in Berkeley--I was really lucky--and making \$275 a month. So when we were married, after the honeymoon, between us we had \$65 to our name--I remember it--and I owed \$1,000 on the car.

Lage: Would you have advised your daughters to marry a man like that?

Gardner: If they're in love, they ought to marry him. People worry too much about that financial stuff today, in my view.

But as we were married and I was finishing my first year of graduate school, and she had just finished her last year of dental hygiene, we had no money except my modest stipend as an intern and her earnings as a dental hygienist. We had just been married and we were asked to sit a cat at the home of a family in the Berkeley hills while they were in Europe for the summer. So we had free rent, and this cat was fifteen years old. I always remember it. I thought, if this cat dies, while the single purpose in giving us this home at no cost was to keep it alive, I--. Anyway, the cat survived.

Then I pursued my second year of graduate work, and Libby was practicing dental hygiene three days a week in Berkeley, so it worked out just great. We would get together for lunch. It was terrific.

Lage: And how did you like your internship?

Gardner: I liked the internship a lot, and I liked the people, but I decided it really wasn't for me.

Lage: Why was that?

Gardner: It was too political. [laughter] Can you believe that?

Lage: You didn't know what the future held!

Gardner: If I had only known, I would have probably stayed in it.

Lage: It would have been even more political as the years went on.

Gardner: It would have. So I said, "Hey, I'm not really cut out for this."

Lage: Too political how?

Gardner: Petty politics. I didn't care for it. And city politics. I decided, Hey, I'm not going to spend my life doing this.

Lage: What was happening in Berkeley then?

Gardner: Berkeley was fine. Nothing was happening in Berkeley.

Lage: It wasn't a time of big turmoil.

Gardner: No, this was 1957 to 1959. Not much was happening, in a political sense. I just didn't care for all the city council politics and all of that. I didn't want to do that.

Work for the California Farm Bureau Federation, Berkeley

Gardner: So when I finished my graduate work at Berkeley, I was offered a job not by a city manager anywhere but by the head of the California Farm Bureau Federation, with headquarters in Berkeley.

Lage: How did that happen?

Gardner: Well, I knew the chief executive. I had known him for years. I had a good graduate record at Berkeley, I think, all A's, or one or two B's. But I had a very good academic record and had done well on my papers, and the city manager of Berkeley also thought I did very well. I had made friends there. So I kind of came to his attention, and one thing led to another. He needed an assistant, and I knew a lot about agriculture and so forth. So I said, "That's great," so I took that job. That was in 1959. He was Dick Owens, a wonderful person.

Lage: What was the Farm Bureau Federation?

Gardner: Well, the California Farm Bureau Federation was and is today the principal organization of California farmers. They have insurance companies for their needs. They also are kind of a lobby group for agricultural interests. It's the means by which the agricultural community expresses both its business and its political needs, I'll put it that way. I was responsible for all of their systems, their in-house management of a lot of things. It's a big operation, very complicated.

But being assistant to Mr. Owens was terrific, because I was able to travel with him. There's a Farm Bureau in every county in California, and I came to know a lot of these people. I came to appreciate the role of agriculture in California. I learned how state politics worked.

Lage: Did you get up to Sacramento?

Gardner: Yes, I did. I learned a lot about how all that worked. I also was introduced to the state itself in ways that I hadn't previously had exposure. Visited every county, all the major cities. I really came to know the state pretty well in the one year and nine months that I worked there, so that was a very important assignment for me. I didn't like all the administrative detail stuff; I could take or leave that. But I did learn about California and California agriculture, and that helped a lot as I later moved into UC.

Lage: I would think so, yes.

Gardner: That was terrific, and I made a lot of contacts there. Some of them are still alive and friends of mine.

Lage: Are you a person who maintains your friendships and contacts?

Gardner: Yes, and it's easy. If I meet an old friend, I pick up just as though I saw him yesterday instead of having not seen him for ten

years or something. It's easy. So that was a really good experience at the Farm Bureau.

But at the end of that, I was getting a little restless: What am I really going to do? There's really no future here. I had to think about, Well, what am I going to do? You get restless when you're that age.

III CALIFORNIA ALUMNI ASSOCIATION, 1960-1964, AND PH.D. STUDIES, 1962-1966

Gardner: At that point, there was a position that opened up in the Alumni House, at the California Alumni Association on the Berkeley campus. The position was to be vacant in January of 1960. It was called to my attention by my father. I think Emery Curtice, who had been very active in alumni affairs, had mentioned it to him. My dad said, "You know, that's a good job, because it gets you onto the campus." It was the alumni field and scholarship job, so I would have worked with all the alumni clubs and with all the scholarship committees all around the state, and indeed all around the country. I was well prepared for that because I did know the state as a function of my work at the Farm Bureau. I was a Berkeley graduate; and I really enjoyed the university.

So for a variety of reasons, I was offered that position and took it, January 1, 1960. It was offered to me by Dick Erickson.

Lage: Did you work closely with Dick Erickson?

Gardner: I worked very closely with Dick, and I really liked Dick and admired what he contributed to the Berkeley campus, he and Jan both.

Lage: This gave you a unique view, too, of the university.

Gardner: It gave me a unique view, because I had to be conversant with everything that was going on at Berkeley in order to be effective in my work with the alumni clubs and scholarship committees around the state. Moreover, because I arranged for all the alumni visits, faculty members who went out visiting alumni clubs, and the chancellor and the president and vice presidents, I became well acquainted with them. For example, I remember taking Chancellor Glenn Seaborg down to Santa Cruz and Monterey. We had driven down in the car together, and we would talk,

exchange ideas, and I would get to know them. That was a real plus, too, it was a great opportunity.

Lage: Of course, you didn't know--

Gardner: But I didn't know all that when I took it. This just happened to come along.

Lage: Were those clubs well established at that time?

Gardner: Yes. I didn't have to establish them. They were well established clubs.

Lage: And the scholarship program was well established too?

Gardner: Yes. And also all the student orientations for new students that we had all around the state. So that was a great job, it was a terrific job. I did that for two years.

Founding the California Alumni Foundation

Gardner: Then I brought in an assistant to handle that for me, most of it, when the California Alumni Foundation was founded and I was asked to head it up.

Lage: How did that come about?

Gardner: Well, we were raising a lot of money for our scholarship program, and we were raising money for a variety of purposes at the university, but it was unsystematic and low-key.

Lage: And the university itself had only a modest development effort at that time.

Gardner: Not in the sense of today's development office. Money would pour in over the transom from Old Blues [alumni], but nothing systematic. Dick Erickson was the one who conceived of the foundation and worked up the approvals, and then he asked me to head it up.

Lage: And this was separate from the Alumni Association?

Gardner: Separate from the Alumni Association, but part of it in a sense. In other words, I was an Alumni Association employee, but the foundation was a wholly owned subsidiary, I'll put it that way. The foundation had its own board comprised of some of the most

prominent alumni of the entire university--Ralph Edwards, Walter Haas [Sr.], Herman Phleger, Rudy Peterson, and people like them. I really had a wonderful opportunity to become acquainted with some of the most prominent and accomplished alumni of the university. And it was great fun, because I was involved in starting it, and I enjoyed it a lot. And it was off to a successful start.

I'll never forget the founding of the Robert Gordon Sproul Associates. It was originally to be the Daniel Coit Gilman Associates.

Lage: Who came up with that idea?

Gardner: Dick and I did. We thought, you know, go back to the first president of the university and so forth. Sproul had agreed to serve on the foundation board, so he and I drove over to a meeting in San Francisco, with Ralph Edwards, Herman Phleger, Walter Haas, I think Sidney Ehrman, and some other prominent alumni. I think Rudy Peterson was there. Anyway, it was a good crowd. And I made the proposal, "We want to form this foundation, we want your involvement, you'll be the core, and so forth. And then we want the large donors to come into the Daniel Coit Gilman Associates." And they kind of--

Lage: It doesn't have a good ring.

Gardner: No. They kind of sat there. I thought, Did I say something wrong? They said, "Bob, would you excuse us?" And they dismissed Sproul, told him to go get lost for a while. They said, "Hey, Dave, Gilman's gone. Sproul is here. One of the great presidents of the university, and for nine times as long as Gilman was here, and it should be the Robert Gordon Sproul Associates. If you do that, here's our checks."

Lage: Isn't that great? You can learn from those kind of encounters.

Gardner: Oh, yes. Boy, I missed that one, I thought to myself. I thought their reasoning was right on target. I said, "That's what we ought to do. I think your idea should be shared with President Sproul and if he agrees, that is what we will do."

##

Lage: And he went along with it.

Gardner: He went along with it. We still have it, and it's raised a lot of money for the university. Verne Stadtman and I wrote the

first brochure inviting memberships in the Robert Gordon Sproul Associates. If you don't have that, you ought to get a copy.

Lage: That would be wonderful. I'll bet it's in the archives.¹

Gardner: So that's how the Robert Gordon Sproul Associates was formed. And it was a real success.

Lage: Now, anything else we should know about this early Alumni Foundation? Really, this is the beginning of development efforts.

Gardner: Yes, it was the beginning of the serious development program at Berkeley.

Lage: And then later, didn't the university kind of take it over?

Gardner: That was after I left. I don't know if that was a happy transfer or an unhappy transfer. Dick Erickson would be the one to ask.

Lage: I've heard it was unhappy.

Gardner: That's what I've heard, but I was not involved. In any event, it was started by the Alumni Association, the university did not start it. The Alumni Association started it. The university acquiesced in it, I think with some trepidation, but also with some hope. It was a phenomenal success, and Ralph Edwards deserves a lot of credit for it.

Lage: He was a real True Blue, wasn't he?

Gardner: He was great. We worked closely with Ralph. He was one of the two or three driving forces back of both the foundation and the Sproul Associates. Rudy Peterson was a great help, too, and Walter Haas, Sr., and Herman Phleger was a close advisor. All these people were just wonderful. And when we had a board meeting of the foundation, in all candor, it was a board far more powerful and influential than the Board of Regents at that time.

Lage: Really?

Gardner: Yes. Just get the list. You ought to get the list of them.

Lage: Okay.

¹See Appendix A. An original copy of the brochure, printed by Lawton Kennedy, is in University Archives, The Bancroft Library.

Gardner: It was a fabulous board, and they attended conscientiously, and we got it off to a great start. The foundation laid the early groundwork for the development effort at Berkeley and over the last thirty years it has really blossomed.

Lage: So with that connection, it was development. With your earlier connection, it was working with alumni.

Gardner: Yes, I worked with alumni, and I have a lot of friends there.

Committee Work for the Master Plan for Higher Education

Lage: Did any of your duties involve legislative matters?

Gardner: Oh, yes, thank you for asking. I should have mentioned it. My first assignment in January of 1960, given to me by Dick Erickson, was to service the committees that had been created, mostly by the Alumni Association, in all major communities of the state to see to it that the California Master Plan for Higher Education was enacted. I forgot that; I should have mentioned that.

Lage: Well, yes. So this was a very organized effort.

Gardner: Yes. The Master Plan for Higher Education had been proposed by a committee of educators. Arthur Coons, who was president of Occidental College, chaired it; Clark Kerr represented the University of California; Glenn Dumke represented the state colleges; and then there were representatives from the community colleges and the State Board of Education and so forth. I think Dean McHenry did the principal staff work, and so did Chuck [Charles] Young, he helped him. And others.

Their proposals went in, I believe, either in the fall of '59 or in the winter of '60, I'm not sure which. They were introduced into the legislature in the form of the Donohoe Act. Our job was to get the Donohoe Act approved. There were alumni committees, not just Berkeley alums but UCLA and Davis alums and others, in all major communities of the state. Those committees were composed of influential people. They worked with the local editorial boards, they worked with local legislators, they worked with the business community and so forth to try, through the Donohoe Act, to put some order into the then-chaos of California public higher education.

The result was this proposal, the Donohoe bill, and the need to secure its enactment. And I worked with those committees. We were successful.

Lage: So they were prominent in their own communities.

Gardner: Very.

Lage: And they would work with their legislators?

Gardner: Right, and with the local editorial boards, and the local newspaper, and so on.

Lage: It sounds like a very comprehensive kind of plan.

Gardner: It was, and it worked. I'm not the only one who worked with them, but that was my first assignment, to do what I could to get the word out to them, keep them informed, get their advice, everything else. Get people they needed to come to the community and meet with key people, so I was a broker between university resources on the one hand and the needs of this apparatus on the other.

Lage: You also mentioned arranging appointments or meetings with campus people, Clark Kerr, Seaborg--

Gardner: Oh, yes.

Lage: Was that part of this effort, or was this separate?

Gardner: No. I think with Clark, we made a swing to talk up the Master Plan. But this was to our alumni clubs or Rotary Clubs or something else. Yes, we did. And that's when I first got acquainted with Clark.

Lage: Did this type of thing continue later?

Gardner: Well, I can get into that. But these committees were very successful. As soon as the Master Plan was approved, the university dropped them. I wrote a memo to Dick Erickson saying, "I can't believe the university is letting this resource fade away. There are any number of issues of interest to the university that will require the support of this group. They're enthusiastic, they've been successful, they're interested in the university. We ought to keep them intact." Dick agreed, but the university administration didn't want to bother with it. I often thought that was a mistake.

Lage: Of course, you might not have kept their interest as high, but you would have the structure in place.

Gardner: You would have kept their interest up, because as the way the sixties evolved, you surely would have kept their interest.

Lage: That's true.

Gardner: And kept them informed better than we were able to do at the time we needed them in the mid to late sixties. So it was, in my view, an error.

Lage: Very interesting.

Gardner: So what was your question now about--?

Lage: Well, I was just wondering whether there's anything similar now, or if there was during your presidency. I know that there are newsletters that go out to interested alumni.

Gardner: Yes. There's a much more systematic effort now than there was even ten years ago, and I pushed it myself when I came in, informed and influenced by my experience with the Master Plan effort. There are alumni organizations that do this now--I think it's called governmental relations or whatever. I don't know how well it's working now, but I do know we have more in place today than we did in the 1960s or seventies.

Lage: Yes. But that probably was the start of it.

Gardner: Is there anything of consequence that I have missed? You're going to talk with me about Sproul later.

Lage: You recorded a brief oral history about Sproul which goes into more detail about recollections of him from around town, and a little bit about the Sproul Associates.

Gardner: I ought to review that and see if there's anything missing.

Lage: But if there's something pertinent to the development of your career here, you should mention it. The other oral history was more about Sproul than you.

Gardner: Only that I always admired him. I think in the earlier interview, I recorded the conversations I had with him when I was doing the Loyalty Oath?

Lage: Yes.

Gardner: I think I've covered that.

Lage: We may come back to that when we talk about the Loyalty Oath, and that will be next time.

Gardner: Yes, and when I get into my Ph.D. work.

Lage: Yes, I think this is a good place to stop.

[Interview 2: October 4, 1995]##

Lage: We talked last time about how you didn't go on a mission for the Mormon Church because other things intervened.

Gardner: Yes.

Lage: Was there ever a time when you were asked to go on one later?

Gardner: Well, I might have been asked when I finished BYU, but the draft was still on, and as I mentioned, the Berkeley draft board was not overly friendly to that proposition. I covered that. And then there was the possibility of my going on a mission after I completed my service with the U.S. Army in the Far East, but by that time, I was dating and I had been gone a long time, and I felt like I--

Lage: You had done your mission.

Gardner: Yes, I had done my mission. So that was that.

Lage: Is that sort of aberrant?

Gardner: Well, most of them go at age nineteen. And by the time I could--

Lage: So you had missed that.

Gardner: I had missed that. So it was--life had gone on.

Lage: I just wondered about that.

Frank Kidner's Influence: Deciding to Make a Career with the University

Lage: The other thing I had wondered about was Frank Kidner. Where does he fit in to your story?

Gardner: He comes in about now, actually. While I was working for the California Alumni Association, having come directly from my work with the California Farm Bureau, which came on the heels of earning my master's degree and my decision not to pursue city manager work, I really enjoyed working at the university. I enjoyed it a lot. But as you might imagine, being responsible for the alumni clubs around the world and for the alumni scholarship program from 1960 to 1962, and then subsequently between 1962 and 1964 being director of the California Alumni Foundation and starting that program at the Berkeley campus--I covered that, didn't I?

Lage: We talked about that, yes.

Gardner: I met a lot of alumni. [laughter] And a lot of very successful, prominent alumni, just by the nature of my work. The heads of the alumni clubs were by and large respected people in their communities. The Alumni Council, the board for the Alumni Association, and the board of directors for the Alumni Foundation were all prominent alumni. I was beginning to get a number of offers of employment in the private sector, and yet, I was really drawn to the university. I had a decision to make.

So being well acquainted with Clark Kerr and Glenn Seaborg and some others, I talked with them about that, and I had met Frank Kidner. I also knew Jim Corley and a lot of others.

Lage: You really met the range of people.

Gardner: I met the full range in this work, I really did, because we would invite the vice presidents, the chancellor, and the vice chancellors out to speak. Adrian Kragen, for example, Fred Balderston, Gene Lee, Clark Kerr, Glenn Seaborg, Ed Strong, Garff Wilson, Armin Rappaport, and Jerry Marsh would go with us, and so forth.

So I met all these people and became friends with them. Even though there was a huge age gap, I always was comfortable with them. And Frank Kidner was one of these. Frank Kidner had been Clark Kerr's vice president for university relations or relations with schools. He handled all of our relations with schools, I think that's what it was. In any event, he was a very fine person, and we had struck up a friendship.

I went to see him one day and I said, "I have this dilemma. I'm getting these opportunities, yet I'm really drawn to the university."

He said, "Well, what do you want to do in the university?" I said, "I think I'd enjoy teaching. I'd probably enjoy some writing, research. And I also enjoy doing, in the form of administration."

"Which do you like best?" he said. I said, "I don't know. I haven't done enough of it yet to know." This was in 1961. I had been with the Alumni Association for about a year and a half, so I hadn't done any teaching, and I hadn't done any writing, other than just term papers and things. But I had been involved in understanding the university's administration, and had been at the Alumni Association and acquainted with the key administrators, so I had a sense of that.

Well, he kind of probed, probed, and he said, "Would you want to be a chancellor some day?" I said, "Well, in all candor, I don't know whether I do or not, because I have observed the kind of lives they lead and the pressure on their private life, as well as the stress within their professional life. I don't know whether I'd want that or not." And that was an honest statement. I thought I might, but then again, I might not.

Lage: How old were you?

Gardner: I was twenty-eight.

Lage: So you were really young.

Gardner: Twenty-eight. Yes, I was young.

Lage: Pretty aware, I would say, though.

Gardner: I think so. But I had had a lot of exposure at that point. And my work in Korea had caused me to grow up in a hurry.

In any event, I was talking with Frank. Then he asked the most interesting question. He said, "Well, would you like the satisfaction of being offered a chancellorship even if you turned it down?" [laughter]

Lage: What an interesting man!

Gardner: Yes. And I said, "Well, maybe I would." I had never thought about it quite like that. That seemed to be so beyond any reasonable expectation. I hadn't contemplated that. I had thought I might be an assistant to a chancellor somewhere. That's about what I was thinking.

He said, "Well, then, if you want that, and you choose to stay with university work, here's what you need to do. You need to get your Ph.D.," then he went right on down the line.

At that point, I was twenty-eight, I was married, I had a one-year-old. Libby and I had had our first baby the previous year. The second one was almost--was a gleam in our eye. So this would not have been an easy decision, because I was working full-time. I had to work. And those days, there was really no financial aid to speak of. So you either made it on your own, or you didn't get it, that was all.

So I talked with my wife about this at some length and so forth, and I made the decision to stay with the university and higher education generally, if I could work out my work-study arrangements.

Lage: With the job--

Gardner: With the Alumni Association.

I then went to see Dick Erickson, who was my boss, and I told him of this conversation. I had an enormous advantage in that he was both adaptable and encouraging. I was working right on campus. We were living in Orinda, and in those days there was very little traffic, so it was not a problem getting in and out. So it was the most congenial set of circumstances for one that was trying to do almost the impossible.

Ph.D. Studies in Higher Education, 1962-1964

Gardner: In the fall of 1962, then, I went back to graduate school. Now, I'll comment on that: I talked with Frank Kidner about which course of study would be most efficacious.

Lage: Because you had been in political science.

Gardner: Yes. He said, "Well, if you go the way of political science, you will have to take a full-time appointment as an assistant professor in political science here or some other place. You will have to demonstrate your scholarly potential, you will have to have a responsible record of teaching, and you will more likely come up in the conventional way. That is, you would have to earn tenure, and then you would have to really establish yourself as a political scientist. And that may be sufficient, that may be all you want.

"But if you want a broader range of experiences and an enhanced set of opportunities in addition to your scholarly and teaching credentials, then you will have to come up a different way. You'll have to come up as a dean and then a vice president and a president somewhere.

"On the other hand, if you, for example, entered the program at Berkeley in higher education," which at that point was the leading such program in the country, "this is more of a professional degree. It's a more natural marriage between what you're studying and what you would be doing, if you were in administration." As the business school prepared persons for work in the corporate community, the program at Berkeley in higher education prepared young people for a career in university teaching, scholarship, and administration, basically.

Lage: But it wasn't the usual way at the University of California.

Gardner: Not at all. No, absolutely not. It was atypical. But he said, "You are more likely to be able to blend those objectives with that degree than with the more traditional degree in political science. On the other hand, it's a degree that doesn't enjoy the same level of regard nor reputation as one of the more traditional disciplines would. So it's a trade-off."

I went and talked with various people on the campus and so forth, and I met T. R. McConnell, who was then the leading scholar in higher education in the United States and director of the Center for Higher Education Studies at Berkeley.

Lage: And a professor of education?

Gardner: And a professor of higher education at Berkeley. He had been president of the State University of New York at Buffalo, and his scholarly work formed the basis for the Master Plan, actually.

Lage: That's why his name is familiar.

Gardner: That's where it came up. His restudy of California higher education provided the statistical and conceptual basis for what later came to be the California Master Plan for Higher Education. So he was a good guy. Very reserved, somewhat aloof, but a very fine person.

He encouraged me to take this course. He only took eight students; that's all he would take. Eight Ph.D. candidates. He offered me one of the slots. To this day, I don't know why he did, because I didn't know him, no one called him in my behalf, nothing. I just went in off the street.

Lage: [laughs] Well, not quite.

Gardner: Well, not quite, but pretty much. In any event, we kind of hit it off, and he took me. So I knew I could get in. Then I applied, I talked with Libby about it, and we decided to go ahead and do it.

I entered graduate school in the fall of 1962, the month our second daughter was born. I was working full-time--

Lage: You didn't cut back on your work?

Gardner: No. I couldn't for financial reasons. I worked full-time for the Alumni Association. Now, Dick Erickson was generous in terms of the hours, but it was a full-time job. My workload was not reduced in any sense at all.

Lage: And you had travel, it sounds like.

Gardner: Yes, I did travel. It was a bit awkward. But I would take all my homework with me and read it. So I took on that responsibility in addition to my work. It involved two courses a term, plus learning two foreign languages.

Lage: Which ones did you learn?

Gardner: French and Spanish. I also felt obliged to meet my responsibilities at home, which I took seriously, and help Libby in any way I could. For example, I would come home from work, I would play with Karen, our two-year-old, get her off of Libby's plate, as it were. Give her a bath, and get her down for the night. Libby would take care of the baby, Shari, get her down for her four-hour sleep around eight, eight-thirty. Then Libby would take care of a few other things. Then she would go to bed around nine-thirty, ten o'clock. When I got Karen down, our oldest, I would then start to study, usually eight, eight-fifteen. I would study until midnight.

I would then get Shari up, our second daughter, who was then the baby, and I would give her the midnight feeding, midnight to one a.m. I would then put her down, then I would go to sleep. Libby would get up around five, so she could get maybe six or seven hours sleep that way, and I wouldn't get up until around seven, so we didn't do too badly. And that's what we did. I would work during the day and I would study at night.

Lage: Sounds like a well-organized plan.

Gardner: It was very well-organized.

We only had one car, which I thought Libby should have in the event there was a problem. So she would drop me off at the Orinda bus stop and I would come into Berkeley. Besides, it saved us the cost of parking on campus and the bus was inexpensive.

In terms of the foreign language, I took a noon class every day in Wheeler Hall over my lunch hour, with a bag lunch. Then when I was waiting for the bus, I would have my vocabulary cards and I would be going through those. I never let any time go by that wasn't used. The Alumni Association was very generous in allowing me to take these four o'clock seminars, leave work early so that I could attend.

Lage: Was the higher education program set up for people who were working?

Gardner: It was set up to accommodate part-time people, that is correct.

Lage: And what kind of people in general were there?

Gardner: They were mostly in their thirties, professional people who wanted to come back for more education.

Lage: People who were in education, coming back?

Gardner: Yes, they were. Or wanted to be; maybe they were lawyers or something, wanted a change.

Well, I did that from 1962 to 1964.

Lage: And how far along did that put you?

Gardner: I finished all my coursework and I completed my written and oral examinations. I then had a dissertation to write. I already had my master's degree. It was not easy going; this was hard going. I really worked, and so did Libby. On the other hand, with two young children and no money you're tied down anyway. So I was fine.

Lage: Not too much night life in those years.

Gardner: It was fine. There was no night life, but that was okay. We had our friends, and we went to games, and we did pretty much what we wanted. We didn't have any money to go anywhere anyway, so it worked out fine.

Doctoral Dissertation on the Loyalty Oath

Gardner: Then I had to choose a doctoral dissertation. One day I was researching for a paper, I don't even know what it was, over in Tolman Hall, and I ran across a reference to the UC loyalty oath controversy. I thought, Oh, I remember that, that was going on when I was in Berkeley High School.

Lage: Right, you probably would have heard about it.

Gardner: Oh, yes, it was in the *Berkeley Gazette* and the San Francisco papers. I had no intimate knowledge of it at all, but I was aware that it had occurred. And in the course of my visits with Kerr and Strong and others, some reference would be made to it, but no elaboration. I really knew nothing about it, actually, other than I recognized the fact that there was a controversy.

I got George Stewart's book, *The Year of the Oath*, and I read that. Then I read some other references. I thought to myself, Well, what I'm reading is a view of this controversy.

Lage: That was in the heat of the battle, as I remember.

Gardner: It was. And as is true of most controversies, not all truth resides on one side. Everything I read was hostile to the oath, critical of the university, President Sproul, and the regents, and it seemed to me to be decidedly one-sided. I thought, There has to be another side to this. But I couldn't find anything. I got quite interested in the subject, actually, as an intellectual issue as well as a matter of university governance, which was the object of my interest in my courses and in some of the papers I had written for class.

I approached T. R. McConnell about the possibility of the loyalty oath being my dissertation. He said, "Oh, you don't want to do that." Now, this was in 1962. This was ten years after the non-signers of the oath had been restored to their positions by order of the court.

Lage: Seems like a long time, but--

Gardner: It was not, I discovered. [laughs] I was naive. Professor McConnell, out of a concern for me, actually, undertook to discourage me. He said, "You'll have great difficulty getting primary sources. If you can't get them, you can't write it. Second, you run a risk of writing a dissertation on a subject about which your professional colleagues are by and large well informed and will have very strong opinions as to what happened.

Third, if it's good enough to be published, it's a real risk, because you will open yourself to attack on both sides. And finally you can't start this only to find out partway through that you can't get certain papers and have to conclude it unfinished. So you ought to choose something else."

I then talked to one or two other professors who agreed with McConnell, but being naive and young, I disregarded their advice.

Lage: There must have been something that really drew you to it.

Gardner: What drew me to it was the fact that there was a story here that hadn't been told. In that sense, it was a detective search on the one hand, but on the other, I thought it was an event of sufficient consequence that it captured the essence of the era and would be instructive to governing boards, faculties, political figures, and others, to learn more about this controversy than the current literature then conveyed.

I said, to McConnell, "Well, I understand what you're telling me. I've talked to some of the principals."

Lage: You had already done that?

Gardner: I had. Then after I had talked to McConnell and got discouraged, I thought, Well, maybe he's right. I'll go check it out. I thought, He may be right, but he may not be right, and I thought I might possibly do it. They my advisors said, "Well, it's your life." That's almost what they said. They then agreed to this subject.

My committee consisted of Professor McConnell as chairman, Professor Frederic Lilge, who was in the history of philosophy and educational philosophy, a German scholar, who by and large students preferred not to study under because he was very demanding and exacting, but whom I liked a lot because I had taken an independent study course from him.

Lage: Was he in the school of education?

Gardner: Yes, he was.

Lage: Or in philosophy?

Gardner: Well, both; he had a split appointment, I think. I'm not sure of that. He taught me an independent study course. It was an actual course that was offered in the catalogue, but no one enrolled in it except me, and perhaps one or two others. I read twenty, twenty-five books that term, half of them in French. But

he was terrific, he was wonderful, I liked him a lot. So Professor Lilge was the second member.

And Albert Lepawsky in the Political Science Department, with whom I had studied for my master's degree--I think I mentioned that, didn't I?

Lage: Yes.

Gardner: I had several classes from him and liked him, and he was a very famous, distinguished scholar.

Lage: Had he been on campus during the loyalty oath?

Gardner: I don't know that, but he was not involved in it.

Lage: I notice that Frank Kidner was involved in it.

Gardner: Frank was.

Lage: Had it come up through your friendship with Frank Kidner at all?

Gardner: No, I don't remember that specifically. Several of them I had mentioned were: Kerr had mentioned it, Ed Strong was much involved, and probably Frank had mentioned it. Anyway, it hadn't been that long.

Lage: No, it hadn't.

Gardner: So I had three wonderful people that were on my committee.

Well, I proceeded with my research, and I was making very good headway on it.

Lage: Was this research in existing papers?

Gardner: These were primary sources.

Lage: I mean, in the library, or that you had to search out?

Gardner: It was mostly in the Bancroft Library. Some in the Tolman Hall library, some in the Main Library, some in the possession of individual faculty members, for example, Professor John Hicks of history, Professor Malcolm Davisson of economics, and others who made their papers available to me.

Lage: By the principals?

Gardner: By the principals.

Lage: With any restrictions?

Gardner: No.

Lage: You must have been a persuasive young man.

Gardner: Well, I worked hard at it. But it was easy because everything I said was true: that I had no axe to grind, I was in high school when it occurred, my single objective was to do an impartial scholarly examination of this, and it's my dissertation. Here are the three members of the faculty supervising me, no one of whom was involved. That was sufficient to carry it. Most of them knew me anyway, because I had met them in connection with my Alumni Association work.

I worked very hard and was doing pretty well, and then I had to get Sproul's papers. I went over to his office.

Well, I should say, in preparation, I put together a matrix of the people whose papers and whose cooperation I required. I put on the top left column the name of the individual, the essence of the papers that they had or the information they could provide--how they fit into the scheme of things, in other words--in descending order of importance. So as I moved to the bottom of the list, they were more and more important. I ordered them in such a fashion that if I was successful in getting Professor A's papers, then Professor B would almost have to give me his or hers, for self-protection if for no other reason.

Lage: [laughs] That shows your political science background.

Gardner: Right. That's what I did. So as I was working my way down the list, this was working. I then got to Sproul.

I went over and made an appointment with President [emeritus] Sproul, whom I, of course, knew. This was 1964, I think, somewhere in there. I was working away and told him what I needed. He said, "Well, you talk to Miss Robb [his secretary], she'll arrange for it." I thought, Oh, that's great. I went out to see Miss [Agnes] Robb, and she said, "The fact is, all of our papers are in University Hall [the President's office]."

And what I'm going to tell you now is a true story, but people will hardly believe this. That's the reason I mention that it's true. She said, "They're all in University Hall. What are you looking for?" I said, "Whatever you have on the loyalty oath, especially things that no one else would ordinarily be able to see." She said, "Well, every time President Sproul talked with someone on the telephone about the loyalty oath, as soon as

he hung up, he dictated a confidential memo to the file, which I typed, and it's now in several bound books."

Lage: All separately organized?

Gardner: Yes, all separately organized, chronologically.

Lage: Good heavens.

Gardner: She said, "Do you want those?" I said, "Are you kidding? Of course I want those--I need those." She said, "You come back in two weeks, I'll have them for you, plus all the other papers."

Lage: Did you know her before too? Had you dealt with her?

Gardner: Oh, I had dealt with her a little, yes, so she knew who I was.

I was then down in Santa Barbara. This was '64, and I had already moved down to Santa Barbara. When I finished my coursework and finished my orals, I moved to UC Santa Barbara, and much of my research depended on my going back and forth. I took all the papers down there so I could do it there just as easily as at Berkeley, with interlibrary loan and so forth.

I came back in two weeks. Miss Robb said, "I can't get the papers. They will not release them."

Lage: The President's office?

Gardner: Would not release them. She said, "You come in, let's talk to President Sproul about it."

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Gardner: So we went in. President Sproul said, "I see. Well, you come back in a week. I will have the papers." I said, "Okay." Fortunately, the Santa Barbara chancellor, [Vernon] Cheadle, had made a small travel grant available to me.

Lage: So you could do this shuttle service.

Gardner: So I could do this. I couldn't do it otherwise. And Professor McConnell had also made a small travel grant, so I had enough money to go back and forth.

I came back a week later. Miss Robb said, "We have all the papers. They're in President Sproul's office." I went in, and I'll never forget this. He said, "Well, I have these papers. Now here's the cover letter." And it says, "These papers are for

my eyes only," addressed to President Sproul. He said, "But you know, Dave, I'm having trouble reading."

Lage: How wonderful!

Gardner: "Would you mind being my eyes for me in reviewing these documents?" That's exactly what happened.

Lage: Isn't that a wonderful story?

Gardner: Yes. So he gave them to me and off I went with them. And then they shipped down the rest of them; there were several volumes.

Lage: Who was protecting them over at University Hall?

Gardner: I don't know. I have no idea. I never asked. I didn't want to know.

Lage: Where did they go when you were finished? Did they go into the Bancroft Library?

Gardner: I sent them back to President Sproul. I don't know what he did with them.

Lage: Hopefully they went into the university archives.

Gardner: They should be in the archives. I don't have any idea what happened to them. But I could not have done the work without them.

Now, after I read through those papers, I was--

Lage: Were they pretty revealing?

Gardner: Oh, extremely revealing. I mean, I could not have done my dissertation otherwise.

I then knew I had to get John Francis Neylan's papers. You may recall that Regent Neylan was a key player and is thought of as the chief protagonist on the board [of regents] with respect to the loyalty oath. That's true and it's not true. In any event, I needed his papers. I had previously checked to see where his papers were, because I knew at one point or another I would have to get them.

I talked with, I think it was Professor [George] Hammond who was the director of the Bancroft Library at that point. He said, "Well, as you will know from the card catalogue, the Neylan papers are in the Bancroft Library, but they are sealed for--" I

don't know, fifteen or twenty years or something. "No one has been able to see them. Why are you asking?" I knew him, of course, so I went through and I explained all. He said, "Well, the problem is that they're sealed."

I said, "Who sealed them? Did you seal them? Did the donor seal them? Who sealed them?" "Well, Mrs. Neylan sealed them." I said, "On whose advice did she decide to seal them? Yours? Someone else's?" "Not mine," he said. "Her attorney's." "Who's her attorney?" "Herman Phleger."

Well, Herman Phleger was on the board of the Alumni Foundation.

Lage: And you knew him through that.

Gardner: I knew him very well. So I called Mr. Phleger and asked for an appointment. I went over to see him in San Francisco. And he's a wonderful person. Tough, though.

Lage: Yes, I've heard stories about him.

Gardner: He was tough. I went over to see him, and I explained what I was doing, why I was doing it, why I needed the Neylan papers. I said, in effect, "I can either stop my research"--this was a year into it--"because I can't get Mr. Neylan's papers, which I regard as crucial to the completion of the work, or I can continue with the research and simply indicate I've done the best I can absent access to the Neylan papers, or you can persuade Mrs. Neylan to allow me access so I can tell the story through his eyes as he saw it, in terms of his role, as against relying on somebody else's third-party assessment of his role. Those are my options."

He didn't say anything to that. He said, "Whose papers do you have?" I had brought my matrix over. I went through and said, "I have these papers, and these papers." He didn't see it, but he said, "Do you have President Sproul's papers?" I said, "Yes, I do. I have them, and I have them all, and I have access to them, and I am going to use them." He then said, "Well, then you need Mr. Neylan's papers. I'll talk with Mrs. Neylan," which he very kindly did, and she agreed that I should have access to them without qualifications.

Lage: And that was key.

Gardner: Oh. That was the big risk, and that's what McConnell was worried about. When I told him of this, he could hardly believe it. He said, "Somebody's looking after you."

Lage: He probably knew you were destined for better things, if you could arrange that.

Gardner: Either that or foolish, I don't know which.

In any event, it worked. All those Neylan papers--I think there are twelve or fifteen boxes in the Bancroft now unsealed--I went all through them. And again, I think without those, I could not have done the work. I suspected that all along, of course.

Lage: Was there anything you didn't get that you wished you had?

Gardner: No, I got everything that I wanted and thought I needed.

Lage: That was quite a wide range.

Gardner: It was. And I really tried to be as fair as I could.

Lage: Did you come at it with any perspective or preconception?

Gardner: No, I had no views at all. None at all. It was like a tabula rasa for me.

Then I should tell you that Chancellor [Vernon I.] Cheadle in Santa Barbara granted me a two-month leave in the summer of 1965 so that I could begin writing. I completed three chapters out of however many there were. Then I thought, Before I go on, I should sound out my committee as to whether I'm handling this properly. I don't mean the substance of it, but what I'm writing: is it complete, or what are the problems, what am I missing, and am I doing this in the proper scholarly way, and so forth. So I sent the three chapters up for their review and advice.

Shortly afterwards, I received a letter from Professor Lilge. It was two or three pages of the most scathing criticism I had ever received on anything I had done in my life. I mean, he went through and just dissected both my drafts and me.

Lage: Was it substance or style?

Gardner: I'll come to that. I then had a phone call from Professor McConnell, who had received a copy of Professor Lilge's observations. He said, "Dave?" I said, "Yes?" He said, "This is T. R. Have you received Professor Lilge's comments?" I said, "Yes." He said, "Well, don't throw yourself into the Pacific. I don't think I agree with everything he said, but I suggest you look at it carefully, and I'm sending my own comments separately," which he did.

In all honesty, I was very unhappy with Professor Lilge. I thought to myself, What is this? What does he know? I know much more about it than he does, and on and on and on, all the rationalization that I would bring to bear on it, all the defensiveness that I would quite naturally have. I said, "I'm not going to do anything about this for a week. I'll just sit on it."

Lage: But you didn't think about throwing yourself into the Pacific.

Gardner: No, I did not.

I waited a week, and then I said, "Now, I'm going to look at this again." I tried to read it in a calmer fashion, which I did. I matched every comment with the text. At the end of it, I thought to myself, Well, the fact is he's right.

Lage: Goodness!

Gardner: He's right. And I threw it out.

Lage: You threw out what you had done?

Gardner: I threw out two months' work, threw it all out and started over again.

Lage: What were his criticisms?

Gardner: I don't remember all the particulars, but there were gaps in the logic, and there were important omissions of information that one needed to move from one event to another in order to draw conclusions and so forth. Anyway, he just killed me on it. The fact is, he was right. So I threw it out and started over again.

I then filed it the following spring. After it was received, Professor Lilge invited me to lunch. I said, "Why did you write me that letter? It's the most scathing letter I've ever had in my life." "Oh," he said, "it wasn't nearly that bad. But I thought this was an important subject and you had it in you to do a better job than you were doing, and that's what I wanted to get out of you, and I did."

Lage: He sounds like quite a good educator.

Gardner: Well, the fact is that he couldn't have done me a better favor. It was the most help he could possibly have been to me.

McConnell in effect said the same thing. He said, "Now what you have is a publishable work. That's what this should be."

This is an important event in American higher education, and it will be your first book out of the starting blocks, and you won't have any trouble getting a publisher." UC Press wanted it, and they published it.¹

Lage: That's interesting, that with all the sense of secrecy, UC Press was perfectly willing to publish it.

Gardner: Perfectly willing to publish it.

Lage: Did you run into any bad reactions?

Gardner: Yes, I had some. Most of it was quite favorable; not all of it was favorable. The ones who were most critical, I would say, were those who were at one end of the spectrum or the other, not people in the middle.

Lage: Did you see yourself as coming down in the middle, or how would you describe the way you summed up the loyalty oath?

Gardner: Well, it's summed up on page one of my book. You may want to put it in this oral history. [see page 70a]

Lage: I did look at it, but I was hoping to get you to say it, not me.

Gardner: [laughs] In my view, it was an avoidable problem. It was not nearly the controversy on principle that most people thought it was. I don't mean there were not principles, and important ones, that were implicated, because there were. And I don't mean that some people were not consistently bound by those principles. I don't mean to say that. But in general, the controversy was also fought for a lot of other reasons as well, not necessarily related to principle.

Lage: You mentioned power struggle.

Gardner: Yes. For example, Regent Neylan was not at the meeting where the oath was adopted in March of 1949. He was in Arizona. This matter of an oath had not been calendared for the Regents' agenda. It wasn't on the agenda. It was a walk-on item, for reasons I noted in the book. It was put on the agenda by the president at a time in the meeting when a closed session of the board had just been concluded. They had been discussing some matters in closed session. So there was no press present and no

¹David P. Gardner, The California Oath Controversy. Berkeley and Los Angeles: University of California Press, 1967.

The California Oath Controversy

Chapter One

Introduction

I

To report the story of any great controversy is manifestly to engage myth and reality, opinion and fact, legend and truth. When a dispute is long and complex, such as that which engrossed the University of California during the period 1949 to 1952, fact and fiction become more difficult to separate. However, there is one grand myth of the loyalty oath conflict, tenaciously clung to by some out of ignorance and by others for ideological reasons, which might be exposed to light at the outset: that this was mostly a conflict over principles. It was not. In its main outlines and principal events it was a power struggle, a series of personal encounters between proud and influential men. Ideals and beliefs boldly enunciated early in the dispute were surrendered little by little as tribute to personal hostility, stubbornness, and bad manners. And in the end most of those who held uncompromisingly to their ideals — that small band of scholars unwilling to sign the oath — were victims of the battle, not its chief protagonists.

The *San Francisco Examiner* editorial of Tuesday morning, August 1, 1950, declaimed: "While American youth is being conscripted to die fighting Communistic barbarism in Korea and elsewhere it is proposed to accord to thirty-nine professors and assistant professors on the many campuses of the University of California the privilege of defying a simple regulation to protect the institution which is engaged

staff present, just the secretary and the Regents, including, of course, the president.

He then said, "Well, there's one other item that I want to call out for your consideration in open session," so they moved from closed session to open session but never told anybody.

Lage: So it wasn't truly open.

Gardner: It was not truly an open session, but the record shows it was done in an open session.

Lage: That's interesting.

Gardner: It wasn't done in open session in any meaning of the term. It was done in private.

Lage: Purposefully, it sounds like?

Gardner: I don't know. I never knew. But the president, of course, knew how it worked, so I would have been surprised if he hadn't found that arrangement to be not altogether unwelcome. He was too smart not to know. So it was done in closed session for all practical purposes, although the record will show it having been done in open. Therefore, no one knew about it.

Lage: It sort of slipped through, then.

Gardner: That helps explain the delay between the board's action in March and the public discovery of this action later in the spring. There was a period of six or seven weeks when only a few people knew about it. But once it was known, everybody ascribed bad faith to the Regents and the administration. That soured it at the outset. The first the faculty heard of it was when they received their--was it the *University Bulletin* or something at that time?--a periodic publication that came from the president's office which reported this action. Just like that.

Lage: Just like any other action of the Board of Regents.

Gardner: Yes. It was unbelievable. The result was a series of meetings that are all reported in the book involving key members of the faculty, and Professor [Joel] Hildebrand was a key player, as were others named in the book. In the spring of '49, there was a lot of faculty restiveness associated with this, but not a full-blown controversy at all. A lot of restiveness and questions and bad faith being ascribed, and so forth.

You recall this was 1949, in the middle of the McCarthy era. It was nearly a year and a quarter before the Korean War. It was at the time the Cold War was very intense.

This item was then calendared by the president for the June 1949 meeting of the board in closed session, because at that point there was a lot of unhappiness. I report what happened in that session; it's in the book. I have the verbatim transcripts of the meeting. Neylan was present for the June meeting.

President Sproul came in, and Professor Hildebrand was there supporting the oath, in effect saying, if I remember correctly, that the faculty was looking for ways and means of affirming their loyalty to the country, and this is one way that we thought we might be able to do it. Now, whether that was Hildebrand or Sproul, I would have to check my records, but in any event, it's all there in the book. You have it; it's all there.

Lage: Yes, we have the book.

Gardner: I don't want to misstate or misspeak anybody's role here, but that's my recollection of it.

Neylan then said, "What is this oath? If I were a member of the faculty, I wouldn't sign it."

Lage: So initially, he thought it was wrong?

Gardner: Yes. "But if the faculty wants to do it, I'm not going to stand in the way," Neylan said. So it was never reconsidered or anything, and that was that. And Sproul gave assurance that everybody, once they were informed about it, they would be happy, would be willing to sign it.

Well, he was wrong. And by September, it was a full-blown controversy.

Lage: Sproul seems to have been out of touch with his faculty.

Gardner: Either that or misadvised, or both, I don't know which. But there were a number of reasons why he proposed it, all of which I spell out in the book.

Lage: Did you question Sproul about the parts you didn't understand, or was he already a little--

Gardner: I went in to interview President Sproul, and all my interviews were conducted with tapes. He was willing to be interviewed. Halfway through the interview, however, I turned the tape off,

because his memory had obviously fallen short of its normal crispness and recollective capability, and I did not want that interview on the record.

Lage: So he was beginning to show signs of--

Gardner: He was, and I didn't want that in the record, so I turned off the tape and then erased it later.

Lage: It wouldn't have been useful to your research anyway.

Gardner: No, not at all useful, and I think hurtful to him. I just eliminated it and relied upon the written record as far as he was concerned.

Lage: It would have been nice if your project had taken place a couple of years earlier. You would have been able to ask him to fill in there.

Gardner: Yes, it would have been okay a couple of years earlier. But I didn't have confidence in his recollections later on. I didn't need them really; and I thought it was not appropriate to record the conversation, so I erased it.

But what I want to point out here is that in September of 1949, President Sproul, realizing that the oath was a mistake, proposed that the Regents rescind it. Neylan said, and I am paraphrasing, "Wait a minute. In June, you persuade us to stay with it, when we might have been willing to get rid of it. And now three months later you're telling us we should get rid of it? We can't just do that. The public's going to wonder what we're doing."

So they appointed a regential committee to negotiate with the Academic Senate, in effect, cutting the president out. He was cut out from there on out. The committee was chaired by Malcolm Davisson at Berkeley, whom I knew well and respected, and whose papers were made available to me. Neylan chaired the regents' committee. But what happened was that some of the faculty leadership involved in negotiating with the Regents were less concerned about the oath than the policy the oath implemented.

Lage: Of?

Gardner: Of not hiring communists. The university had had a policy for years that it would not hire communists, and a number of people who were opposed to the oath--I don't mean all, but some of the key players--not only were offended by the oath but offended by

the policy, and were then determined to oppose the oath at least partly if not primarily as a means of overturning the policy.

When this became clear to Neylan in the negotiations, and I've seen the verbatim transcripts of those meetings and I refer to some of them in the book, Neylan then said, in effect, "Hey, I'm willing to get rid of the oath if we can save face. I'm not willing to overturn the policy the oath is intended to implement. As a matter of fact, I don't believe that your opposition (here he was referring to the faculty committee with which he was negotiating) to the policy is a true reflection of the opinion of the Berkeley faculty." He then used the oath as a threat to get the Berkeley faculty to vote on the issue of the policy, which they did in March of 1950, affirming the policy in a mail ballot while opposing the oath on the same ballot.

Lage: It gets quite complicated.

Gardner: Yes. And Professor John Hicks thought he had a deal with Neylan; that if the faculty would affirm their support for the policy but express their objections to the oath, the Regents, in consideration of that, would then rescind the oath. He thought he had a deal.

Well, Neylan didn't understand it that way, and at that point, there was a question in Neylan's mind and in the minds of a lot of other regents about who was running the university. The controversy then became more of a power issue than anything else. So when I say there were principles involved, there were, but that was not the whole story. And it's not happenstance that many of the people who were most vigorously opposed to the oath in the most public of ways also signed it in the end.

Lage: They all signed?

Gardner: No, not all signed. Many of them signed. Many of them signed, because for them, having lost the vote on the policy, they had lost the real issue, at least as they saw it.

Lage: So they went ahead and signed.

Gardner: Went ahead and signed. Now, some of those who didn't sign chose to be the symbolic expression of that group and did not sign, like Professor [Edward C.] Tolman. Some others who had been standing with him went ahead and signed. David Saxon, who hadn't been consequentially involved in the controversy at all and was a young assistant professor of physics at UCLA, chose not to sign on principle and was dismissed.

Lage: And came back to be president of the university and quite successful.

Gardner: And came back to be president. So we shouldn't miss that. He probably mentioned that in his oral history.¹

In any event, when you say that it was an issue of principle, well, yes it was, but there were a number of principles, some of them contending. The position of the faculty was, "It may be that members of the faculty who are also communists cannot impartially search for the truth, and, therefore, are not professionally fit to serve on the faculty. But each case should be considered individually, not with an oath to be signed by all. Therefore, we think the oath is misguided, unwise, unfair, and inconsistent with the traditions of this institution or any other deserving of the name. So we're opposed to the oath." Some, of course, were also opposed to the policy.

The Regents, for their side of it, never were enamored of the oath, but were unanimous in supporting the policy. Their view was that a communist was, by definition, subject to the discipline of the Communist party. For such a person, the truth, therefore, was given and could not be freely sought, and, therefore, a communist was not professionally fit to serve on the faculty where the impartial pursuit of the truth was of paramount concern.

So you had two principles in contention here, and the oath was the vehicle for joining the controversy. It was not, as was often believed, the sole object of the controversy itself.

Lage: Right, but that principle--Should communists be teachers?--was.

Gardner: Oh, yes. It's a very substantive issue.

It was a very convoluted, very difficult issue, full of egos and--

Lage: Hard one for you to untangle.

Gardner: Yes, but I think I finally got it. I found it to be intriguing. I had a lot of sympathy for everyone involved on both sides of this controversy, because as I say, most of them were honorable people really trying to do what they thought was right, and doing

¹University of California President: David S. Saxon. Oral history transcript completed under the auspices of the Oral History Program, University of California, Los Angeles, 1994.

it for the most part in a rather civil way. Now, the arguments in the senate were by and large quite good; the arguments in the board were somewhat less good.

But within the institution, of course, it was terribly disruptive and gravely damaged President Sproul's position. He never quite recovered from it in many respects. It wreaked havoc with the Board of Regents for three or four years and engendered enormous hostility toward the university on the part of the citizenry during that era. It was a problem. Moreover, a number of very distinguished faculty members were dismissed, no one of whom was ever accused of being a communist or of being disloyal to the country in any respect whatsoever. They just refused to sign the oath.

Lage: It seems that you felt it could have been avoided.

Gardner: Oh, I thought it could have been avoided.

Lage: With what? What would have had to have been different to avoid it?

Gardner: First of all, there was a lack of awareness in the university's administration, for reasons that are not clear to me, as to the inherent significance of adding a communist disclaimer affidavit to the constitutional oath of office. There was a lack of appreciation of the implementing considerations. In other words, there was an assumption that no one would find fault with this. They should have known better, actually.

Lage: They would have had a symbolic--

Gardner: Yes. And as far as I know, there was no substantive discussion with key members of the faculty as to the wisdom of advancing this proposition to the board. It was just done, for reasons that I note in the book.

Lage: Right, and so it was a question of process initially.

Gardner: Yes, a question of process. And I think if it had been discussed with members of the faculty who were at least thought to be reasonably representative, as well as responsible, there would have been little enthusiasm for an oath and probably wise advice to deal with the president's problems in some other way, and it probably never would have happened. It's an example of why you just can't make those kinds of assumptions. It's something I learned.

What the Loyalty Oath Controversy Can Teach University Presidents

Lage: This is what I want to get: what you learned from your study of the loyalty oath.

Gardner: Oh, I learned. I learned that if in doubt, don't. If in doubt, check. Check with your colleagues, check with others, make sure that when you're going to put that kind of an imposition--see, every individual in the University of California had to fix their signatures to that oath or lose their jobs. Well, you want to think about something as consequential and implicating as that, so check before you act. Then if you're wrong, if you're getting the signals of the kind that suggest, "It's not going to work so well," move quickly to rescind it. Don't let it drag on, because then it takes on a life of its own, and other people's reputations and egos and sense of position become implicated. Then you begin to lose control of it, your ability to direct it and so forth.

That's the second thing. They could have gotten out of it in June, could have redone it and gotten out of it in June.

Lage: Before it was known by the public.

Gardner: But then, when it was challenged overtly by faculty members during the summer months with many refusing to sign, and the administration was faced with the need to dismiss them, well, that became a different matter, right? So in the fall the president then tried to overturn it, as I noted, but you can't overturn it so late in the game without apparent loss of face, lack of authority, all the other problems that go along with it.

The other thing I learned was that when the Regents appointed a committee to work directly with the faculty, the president was cut out, and I resolved that that would never happen if I was president anywhere, ever. So I learned a lot from this. I learned how power flowed through the institution and how it could be influenced, where the levers were, the sequence of consultation, and whether you can rely on people's word, and then the politics of the board and how the board sits between the institution itself and the larger public, and how it has to maintain its own credibility. And they're not in complete control either.

As a matter of fact, I almost sensed in researching this controversy that the participants felt as though they lived in a Tolstoyan world, where events overpowered the capacity of people

to deal with them. If you get to that point, you're really in trouble. So I learned a lot of lessons from it.

Lage: Yes, it sounds like you did. It was a well chosen dissertation for what you ended up doing.

Gardner: It really was, yes.

Lage: One small point: in your introduction, you mentioned that the president's office had failed to keep to grow along with the institution, and there was a lack of administrative capacity.

Gardner: Well, what had happened was that, of course, the university had grown incrementally, not all at once. President Sproul, who was a person of immense capacity, great popularity, and a phenomenal individual and greatly respected--that's how I felt about him--had a hard time letting go. At one time, he had I don't know how many people reporting to him, twenty people or something. It was impossible. Professor Eugene Lee of political science at Berkeley has written about this recently.

So the structure had not matured with the size or character of the institution. The familiar, looser, less formal network of relationships and easy sharing of ideas that had been so comfortable for so long became less and less effective. They relied on that, when in fact the size of the institution and its character and new people and so forth all suggested the need for a reconfiguration of the administrative structure and the way in which decisions were made and how the ideas got fed in, and how you consult and so forth. That hadn't kept pace. There was something of a dysfunctional relationship between the way in which the institution was organized and the way in which the institution required oversight and administration in 1949.

IV UC SANTA BARBARA, 1964-1970

Going to Santa Barbara as Assistant to Chancellor Cheadle and
Completing the Dissertation on the Loyalty Oath

Lage: The other thing that comes to mind when you mentioned flying back and forth, 1964, '65, was that you were writing this dissertation during the next big crisis at the university, the FSM [Free Speech Movement].

Gardner: Well, yes, I was.

Lage: Did that affect at all how you were looking at things?

Gardner: When I left Berkeley, I was working for the alumni association, and I had been there almost four years, 1960 to 1964. In mid-1964, I had been offered a position at UC Santa Barbara as an assistant to the chancellor for community relations. This was a campus of about 4,000 or 4,500 students. It was rapidly growing. It was in a beautiful part of the state. I had a couple of friends there in the areas of alumni and community relations.

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Gardner: Professor Robert Kelley at UC Santa Barbara had submitted my name as a possible successor to himself. He was then serving as assistant to the chancellor for community relations, which included alumni relations. I therefore had had occasion periodically to work with him, given my work at Berkeley.

One of my references, once I indicated an interest and sent a vita, was Dan [Daniel G., Jr.] Aldrich, who had been vice president and dean of agriculture for the university under President Kerr, and of course whom I had met in the course of my work at Berkeley. He was then chancellor at UC Irvine. He also

had been a student at the University of Rhode Island under Vernon Cheadle, who was then serving as chancellor at UC Santa Barbara.

Lage: [laughs] These old-boy networks.

Gardner: That's it. I had been fortunate enough to be able to list Dan as a reference.

I saw the letter that the search committee at UC Santa Barbara sent to Dan Aldrich. Dan had sent it to me after my appointment. The letter to Aldrich was, "We're looking at Gardner, and you're a reference. He has a good record and so forth, but we note that he's a Mormon."

Lage: Oh, no!

Gardner: Oh, yes. "And he does not drink. Do you think this is a problem in terms of community relations?", referring to my social responsibilities in representing the university in the community.

I saw Dan's answer, and it was a wonderful answer. He said, "Well, you know, you have it right about Gardner's background and so forth. As to the matter of his not drinking, I don't drink either."

Lage: Oh, that's wonderful.

Gardner: And he went on to explain. So I was offered the job.

Lage: I think that's a very important little bit of social history, that they thought not drinking would interfere with your ability to do the job.

Gardner: That's right, they did.

Lage: Well, did it? Did anybody look askance at you if you had a soda water instead of a cocktail?

Gardner: Not to my knowledge. I'll tell you one example why I think it did not. At one time when I was with the Alumni Association early on, there was an alumni function somewhere in the Bay Area, I think it was Hayward or something. It was at a home of the president of the Alumni Club there. Chancellor [Glenn T.] Seaborg was our guest. I had been out front, welcoming people and so forth. Seaborg was inside, and they had a little reception for him.

Finally, everybody had arrived, so I went in and looked around. Here was everybody with champagne glasses. Seaborg saw me coming and he said, "Oh, Dave, your drink is in the kitchen."

"Great," I said, so I went into the kitchen, and here was a bottle of ginger ale. But all there were were champagne glasses; that's all there were. A lot of champagne bottles, and one bottle of ginger ale.

I poured some ginger ale into a champagne glass, went back out, and I said, "Glenn, how did you know my drink was in there?" "Oh, that's what I'm drinking," he said. Now if I had ever had champagne, he would have been disappointed in me.

So it was never a problem, and it was not a problem at Santa Barbara. In any event, some people thought it might be a problem, and I thought Dan Aldrich's response was wonderful.

I accepted the job, and our family moved down on October 1.

Lage: Sixty-four.

Gardner: Sixty-four, and I believe if you'll check the records, that was the day that Mario Savio was on top of the police car in Sproul Plaza. It was either that day or the day before or the day after, but I think it was that day.

Lage: That sounds right, yes.

Gardner: I think that's correct. We heard all this on the radio going down to Santa Barbara.

Lage: You timed it well.

Gardner: That's what Libby said. [laughter] Of course, it caught up with us down there later.

Lage: Yes. But your job would have been, as relations with alumni and community--

Gardner: Yes, yes. This was not a big deal at Santa Barbara. The Free Speech Movement, of course, later came to be a consequential matter, and I was thrown into it, albeit from a distance.

Lage: Just to finish up with the loyalty oath, did the effects of FSM affect how you looked at the loyalty oath episode?

Gardner: No, it didn't affect that at all. It affected me in some other ways, but not that way.

To make a long story short on the dissertation, I was given the time to work on it. I worked every Saturday. I worked at nights. I don't know how my wife ever put up with it. But

again, we had our two daughters at that point, and it was not easy. I finished it up and it was published in 1967. I was offered a faculty appointment when I finished my Ph.D., and I took a half-time appointment as an assistant professor in the School of Education, which was really a very good school, and half-time as assistant chancellor. I taught one seminar a term.

Lage: In higher education?

Gardner: Yes.

Lage: How did you like teaching?

Gardner: I enjoyed it a lot, and they had bright students. I had a good time.

Lage: Is that the only time that you've done teaching as a regular faculty?

Gardner: Yes. I've always done visiting lecturing from time to time, but never had the responsibility for a class except at UCSB, and I enjoyed it a lot.

Lage: Is it something you think you might have wanted to pursue?

Gardner: Oh, I would have enjoyed it; I still would, yes.

Lage: I notice there's a David Gardner Chair in Higher Education at Berkeley.

Gardner: There is, yes. There was a gentleman in San Francisco, with whom I was not personally acquainted I should add, who was so outraged at the way the newspapers were treating me when I left the university in 1992 that he endowed a million-dollar chair at Berkeley in my name.

Lage: That's a nice response.

Gardner: A very nice response. [laughter]

Lage: Helpful to everyone.

Okay, well, let's turn to Santa Barbara.

Gardner: Let's see. I think I covered everything on the loyalty oath, didn't I?

Lage: If there's more on that, I would certainly want to finish that up first.

Gardner: Well, I sometimes look back on the book, and I'll read sections of it. I don't have any real questions about the substance, but I think, Did I write that sentence? But I did work hard at it, and I was real happy about it because, generally speaking, it was very well received. People thought that I had tried to do an honest job, which I did. And it got me off to a pretty good start.

Lage: Great. In your conclusion, it came across to me that you had a lot of feeling of loyalty to the institution in general.

Gardner: I did, oh, I did.

Lage: And you felt that some people were lacking in it.

Gardner: I agree. Some people used the institution crassly. Others cared for it and still opposed what the Regents did, which is fine. But I had a lot of feeling and a lot of commitment to the institution, because it's only through these institutions that modern scholarship by and large can be pursued with the protections and security and the environment that's conducive to that work. So I think one ought not to be damaging the institution in a cavalier way, which is part of what occurred. That comes across, I think.

Lage: It does.

Gardner: So I'm at Santa Barbara. I was there from 1964 through 1970, it was growing about 1,000, 1,200 students every year.

Lage: Did that put strains and stresses on it?

Gardner: Yes, tremendous strains and stresses, mostly on the relations between Isla Vista, which is the small, private, residential enclave surrounded by the UCSB campus, an area housing a significant share of UCSB's students. Now, that was a problem, and I'll come to that a little later.

In any event, I started out as an assistant to Chancellor Cheadle for alumni relations, press relations, development, and community relations in general.

Lage: Somewhat similar to your work with the Alumni Foundation?

Gardner: That is correct.

Lage: Except you were working with the chancellor.

Gardner: Working with the chancellor directly. Now, that was a wonderful assignment for me, because in order to be effective in those arenas, I had to know what was going on across campus. I couldn't just be interested in what was going on in the College of Engineering, or the various departments in the humanities, or in athletics, whatever. I had to have a general sense of what was going on at Santa Barbara. And also, of course, what was going on in the University of California, for example the Free Speech Movement. I had to get a sense of what was going on and be able to explain and translate that to UCSB's key constituencies. So that was a good assignment for me.

Secondly, I was a member of the chancellor's cabinet along with all the vice chancellors, so I was involved in all the issues that would come to that level of consideration. I learned a lot in terms of what goes on, how to deal with it or how not to deal with it. I was wonderfully positioned, and I was thirty-one years old.

That went on, let's see, until about '66, and then Cheadle made me assistant chancellor, and then in another couple of years executive assistant to the chancellor--something like that. I forget the sequence.

Lage: Assistant to the chancellor, and then assistant chancellor--I'm not sure of the fine points of this--and then vice chancellor, executive assistant.

Gardner: Yes, that's correct.

Lage: Did the job change, or was it just kind of a promotion?

Gardner: It was a promotion.

Lage: But the same basic duties? It seems executive each time.

Gardner: Well, what happened was that I retained all of my community public relations and development duties, but I also came to be a principal advisor to him on the growing student unrest and ethnic studies issue that was heating up. So Chancellor Cheadle wanted to give me a title that would convey a level of authority that would permit me to work with the people from those interested groups, I'll put it that way.

Early Days, Smooth Sailing

Gardner: When we first went to Santa Barbara, it was a small campus, it was growing, there was a lot of enthusiasm, there was money for the campus, and we just had a fabulous time. It was great. The Free Speech Movement had no counterpart at Santa Barbara; it affected us only in the sense that it affected the university's budget and public opinion generally. Other than that, it was just an object of some interest in general. I was very interested, however, because I was interested in the issues and how the university was handling them and all of that.

For example, I remember when Clark Kerr in the late fall of 1964 called all the alumni presidents up to Berkeley to his office and all the campus staff working with them, so I came up from Santa Barbara. Clark spent about an hour, hour and a half--you know how he is--methodically going through what happened, who the university was dealing with, where the university had handled it correctly, where they had made mistakes, who some of these protestors were, how they were financed, and so forth. It was brilliant.

At the end of it, the president of one of the alumni associations--I won't say who it was--pulled from his coat pocket a paper and read it, as though Clark had said nothing at all. He just blistered the university administration for its handling of the FSM. And Clark doesn't have much more hair than I do, so you could see him getting redder and redder--he's a Quaker, of course, calm, but he was getting redder and redder. At the end of this tirade, the president said, "Well, so-and-so, to paraphrase Shakespeare, 'Hell hath no wrath like the noncombatant.'"

Lage: [laughs] Oh, how wonderful!

Gardner: I've always remembered that. I thought, Boy, is that the truth.

Lage: He could have used that many times during those few years.

Gardner: He could have. He was a real mentor of mine. I learned a lot from him and admired him. He's helped me a lot over the years, he really has.

I was involved in the consequences of the FSM, but really at the margin. I was not central in any sense at all. We were just building the university down in Santa Barbara.

Then we had our third daughter in '66, and I finished my dissertation in '66, and I got my faculty appointment in '66, and the book was published in '67, and things were going along smoothly.

Lage: Teaching.

Gardner: Yes, teaching; I had a great time. We just loved it there.

Ethnic Studies Protests and Turmoil on Campus, 1968-1970

Gardner: Then the antiwar demonstrations hit in the latter part of the sixties; so too did the assertion of interest on the part of the Chicano community and the black community. That all kind of hit at the same time, '67, '68, '69, '70. It was building up. You could begin to see it build up at Santa Barbara, albeit at a more modest scale and in a less hostile fashion, but it was beginning. It began to pick up in '68, really, not severe, but real problems.

And '69-'70, that academic year was a nightmare. At the end of that year, I told Libby, "You know, if this is the way it's going to be, I'm going to get out and do something else. If I'd wanted this, I'd have gone to West Point." [laughter]

Lage: Or stayed in the army. To what did you attribute the students' unrest? Was it the nationwide feelings, or were there local problems?

Gardner: Well, the main sweep of events was of course international in its scope and scale. But there were some peculiar circumstances at Santa Barbara that tended to exacerbate it, and I can comment on those if you would like.

Lage: Yes.

Gardner: Well, the UC Santa Barbara campus is not in the city of Santa Barbara; it's in an unincorporated section of Santa Barbara County, in the Goleta Valley, north of the city four or five miles. It is therefore rural, and it was at that time rather rural in its environs. This was a sparsely populated county in the 1960s with a very inexperienced police force. The students who were agitating in connection with the antiwar demonstrations, of course, knew that. It would take us half a day to get fifty or sixty officers there, and then when we got them there, they weren't trained for what they were confronting. So we were

extremely vulnerable, unlike campuses in the urban centers where the police were trained and experienced for what they confronted on campuses and were available on short notice if needed.

Lage: You didn't have your own police force, or not at that point?

Gardner: We did, but I mean, it was seven or eight people or something. And one thing I've learned over the years is the worst thing you can do, if you need police, is to have too few of them. If you don't have enough police to control the situation, don't bring them in at all.

In any event, as much as we tried to avoid the use of police for all the reasons that are self-evident, there were occasions when we needed them to maintain some semblance of order, preventing the disruption of classes, closure of the campus, and the personal safety of certain people. Well, we just couldn't get a timely, competent response. One of my jobs, I must tell you, when there was a major demonstration around the administration building or elsewhere on campus, was to wander around the crowd and get some estimate of how many were on drugs.

Lage: Oh, really?

Gardner: Oh, yes.

Lage: How would you judge?

Gardner: Well, behavior, smells, eyes, a few other things. Because if any appreciable percentage of the crowd was on drugs, you really couldn't call in the police.

Lage: Because you didn't know what they were going to do?

Gardner: Because the police rely on crowd-control techniques that assume the group is rational, even if emotionally distraught. And that was a problem, so that was one of my tasks.

Lage: What was your alternative then, if you found that they were mostly high?

Gardner: Well, you tried to get faculty and some staff to come out and help defuse it, and I would go out and around to defuse it as best I could.

Lage: Did that work?

Gardner: Sometimes; sometimes it didn't.

Lage: So those were not your halcyon days.

Gardner: Oh, it was horrible. We were vulnerable because of an incapacity to constrain out-of-bounds behavior.

Second, Isla Vista had the Pacific Ocean on one side and UC Santa Barbara on the other three, with two roads in. They could be blocked. They were blocked. Isle Vista residents were 90 percent, 95 percent students, excluding those living on campus in university residence halls, drug use was quite high in those days, and the police would come in there, and it was hostile territory. So bad feelings had been developing for some time between the police and the student culture that prevailed at that point. That was a problem.

Thirdly, we had grown too rapidly, and that's another lesson I learned. The ability of the institution to absorb 1,000 to 1,500 new students every year, if you have a student body of 50,000, you can absorb it. If you're 5,000, it's harder.

Lage: Right. It doesn't sound like that big a figure, but--

Gardner: No, but proportionally, it's huge. Therefore, we had grown so rapidly that the kind of informal relationships, the subtle networks of friendship and so forth that ordinarily characterizes the work and communication of any community were strained or nonexistent. There were a lot of strangers interacting in times of great stress and tension. That's a third factor.

The fourth factor is none of us had had any experience with this.

Lage: Who had, at that point?

Gardner: Well, nobody had.

Lage: Except what you might have learned if you had spent more time at Berkeley.

Gardner: But I hadn't. It hadn't started at Berkeley when I left there, so I was not experienced either. I was younger, so I had a better sense of what student concerns were, and I could articulate those, but I had no real practical experience dealing with it. Most of us were struggling as best we could.

Therefore, Santa Barbara had a disproportionate share of problems.

Lage: When you wouldn't expect it would.

Gardner: When you would not expect it. It was easy pickings. We were also in the very conservative Santa Barbara community, which made it all the more difficult.

Lage: Did they tend to be antiwar, or more the third-world issues?

Gardner: Both.

Lage: I wouldn't expect you would have a very ethnic student body.

Gardner: Well, it was not, and this was one of the problems. There had been a determined effort by the university beginning in 1964 with the Equal Opportunity Program to identify, recruit, and bring to the University of California promising persons from the black community and the Chicano community and so forth. UC Santa Barbara was no different; we had done that. But we had done it without a full appreciation of the disparate impact that the campus environment would have on different students with different backgrounds. That had not been sufficiently allowed for.

Now, we were not unique in that respect; nearly everybody suffered from that blind spot. Nevertheless, we brought significant numbers of minority students in, but as a proportion of the student body it was very small. So a lot of these young people, many of whom were really quite bright and talented young people, felt like they were in a very small enclave in a sea of white faces. Not easy for them.

Well, as you recall at that time, there were very significant efforts being made nationally to create ethnic studies programs, Chicano studies, black studies programs and so forth. And this was the thrust of the more activist elements of both those communities on our campus. I was asked to interact with them, so my job was to see if we could not find some appropriate and constructive way of dealing with their demands, if you wish to put it that way.

Lage: I would like to hear more about how you did that and what you learned from it.

Gardner: Well, I got to know them personally, and I was young enough they felt they could talk with me. Having been through what I went through in Korea, I tended not to be overly intimidated. I'm a real straightforward person, so I dealt with them that way, and they felt they could trust me, which they could. I remember the black student leaders would come in before there was a major demonstration and they would say, "Well, we want you to know we're going to do this tomorrow," and I would say, "What is your

objective?" "Our objective is so and so," they would respond. I would say, "Well, that won't help you reach your objective, because if you do what you say you are going to do, we're going to have to do this in response. You're not going to like that. Thus instead of advancing toward your objective, your tactics will impede it.

"Now, if you just change what you have in mind tomorrow in the way I suggest, we can live with it, you can get your point across and everything can go on." So we worked that out pretty well.

Lage: Did that work?

Gardner: Yes. With them, it worked pretty well. And the same was true with the Chicanos; not always, but generally. I felt like I had respectful relations. I don't mean I always agreed with them; they certainly didn't always agree with me. We did the best we could given the pressures on all of us. We did create a Department of Chicano Studies at Santa Barbara and we did create a Department of Black Studies at Santa Barbara.

Lage: Separate departments, official departments?

Gardner: Yes, they were.

Lage: Which didn't happen here.

Gardner: Did not happen here. It happened there. They may not have been everything that they had hoped them to be at the time, but we're surely better off than if we hadn't done it, in my view. Not everyone will agree with that, but that's my view.

Lage: Have they continued?

Gardner: Yes, they're still there. Now, they've had a lot of problems, but they're not unique in that respect. I think on balance, they've contributed a great deal more than most people credit them for, and I also believe that we're better off having them than not. That was and is my view.

My job was to negotiate an arrangement that would fit the university's structure, that would raise the prospective departments' expectations to the levels of the university's academic program and its standards, and to do it in ways that were still responsive to the interests and motivations of the young people with whom I was working. And we did that, at least we got it started.

Lage: Normally, those programs are created through faculty senate.

Gardner: Oh, they were at UCSB, absolutely. Sure. Although I helped facilitate it and helped negotiate it.

Lage: You probably had some arguing to do.

Gardner: I did, yes, and the students didn't get everything they wanted either. I pointed out that some of the things they were asking for were both unreasonable, and in any event, wouldn't happen. I was real straight with them.

I remember once the chancellor's office was occupied, and the students would make demands of him, and he would blow up. I would say, "Well, this is what they said, but this is what they mean." I would use language that he could both comprehend and accept, and then he would respond. They would blow up; and I would say, "Well, he said this, but this is what he means." So I was in the middle.

Lage: [laughs] Oh no! Were you good at reading what they meant?

Gardner: Yes, I knew what they wanted, and I knew what he meant, too. I knew what he meant. So I was really in the middle.

Lage: Now, if you had read back to him what you said he meant, would he have agreed with you?

Gardner: Yes, he would have.

Lage: Okay. So you were able to put it, interpret it in another--

Gardner: I could interpret it a little differently, and then it was okay.

That's what I did for much of '68 and a lot of '69. We made some substantive progress. We did have problems, there were demonstrations, there was some untoward behavior, there were some difficult times, but there was in fact a constructive response when it was all over with.

Lage: I remember some blow-up, Isla Vista--

Gardner: Oh, I'll get to that. That had nothing to do with the ethnic studies issues. That did not have to do with the minority community at that time. I'll get to that in connection with the antiwar protests.

Lage: Okay, good.

Gardner: Some of this overlapped, but it was not a complete overlap. The ethnic studies pressures came before the antiwar.

Lage: I always think of them in my mind as being after, but this came first?

Gardner: No, it came first. We were one of the first.

Antiwar Protests on the Santa Barbara Campus, and Isla Vista

Gardner: The real problem came with the antiwar protests.

Lage: The leadership was different, I'm assuming?

Gardner: Completely. It was white. This was white leadership. There was a student group at UCSB called the Radical Student Union. I believe it was a splinter group from SDS. They were carrying out most of the antiwar protests. We had a real tough time, for reasons I've already indicated, in our capacity to respond with sufficient police assistance when needed, an isolated environment, bad relations with the police in Isla Vista, concentration of young people in that community, 8,000, 9,000 young people in a very small area, as well as on campus. I mean, it was not easy. Southern California, a conservative community, problems all over the state, and we had our share. It was mostly in 1969-'70; although '68-'69 was very difficult, it was worse in '69-'70.

There were two or three occasions in the spring of 1970 when there was a curfew put on in Isla Vista by the county board of supervisors. This did not warm the hearts of the students toward that group.

Lage: Was this done without consultation with the administration?

Gardner: Well, they didn't consult with me. They may have consulted with somebody else, but I was never involved in it. It was just announced, and then we had to enforce it. That was when the bank was burned.

Lage: Yes, that's what I'm thinking of.

Gardner: We had been having a lot of problems, there were a lot of protests, there was some violence. For example, a bomb had been put in the Faculty Club's courtyard. The custodian had picked it up, it blew up, killed him. I remember going over immediately

after, and he was just all over the wall. I've never forgotten it.

Lage: Did this dampen the students' enthusiasm for their protest at all?

Gardner: Well, if so, it was not evident.

Lage: You didn't see a shocked reaction--

Gardner: Not observable. But not all the protesters were students, either. We had to empty the library I don't know how many times because of bomb threats. It was over a hundred, in any event. We had the usual marches and protests, both in downtown Santa Barbara and on campus. I remember one of the student protesters, one of the leaders, a young woman. I remember her blasting the Bank of America in public, condemning it as an example of what was wrong with America, then seeing her in downtown Santa Barbara using her Bank of America credit card. Anyway.

We had problems of a smaller scale than at Berkeley or Columbia or Wisconsin or Cornell, but as a proportion of the student body, it was very significant. I'll never forget, once they had a huge rally down by the lagoon, and then they began marching toward the administration building. Chancellor Cheadle and I were in his office on the top floor looking down, and here they're all coming, maybe 2,500 people, which is a lot. That's a lot of people.

I remember the chancellor turning to me, and he said, "You know, Dave, this is a hell of a way to make a living."
[laughter]

Lage: You must have questioned what you were about during some of these incidents.

Gardner: We both laughed, anyway. And I'll never forget one time that we had such a demonstration that it was--you know, it was not so good, very bad feelings. We had just a handful of officers in full riot gear right inside the administration building--what is now Cheadle Hall; it was then the administration building--in the lobby, trying to protect it. There were bricks and rocks coming through the windows; we had to vacate all of the ground floor offices. It was a bad scene.

I went down and I said, "We simply cannot have these demonstrators and the police clash. It's going to be a disaster, because the police are going to feel threatened, and you know, if

they feel threatened, they're going to do things." At that point, someone from the dean of students office came out.

Lage: Let's have his name here.

Gardner: I don't recall his name.

Lage: Well, maybe it's not important. Here, dean of students, Lyle Reynolds?

Gardner: No, it wasn't Lyle. Not Bob Evans. Who was it? Well, it wasn't the dean of students then, and it wasn't the dean of--anyway, it was a person in that area. He walks out and begins to take off his clothes. Every time he took off one article, he would move away from the administration building taking the crowd with him and distracting them.

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Lage: Towards the 2,500--

Gardner: No, he was in the 2,500, and he was walking away from the administration building. Everybody turned and followed him as he shed his clothing. I'm not sure whether he left anything on or not, but it surely broke the tension and disoriented the politicians who were haranguing the crowd.

Lage: Well, there's a technique you might want to continue.

Gardner: It worked. It completely defused it. [laughs] Nobody planned it; it just happened. It was great. Anyway.

Lage: It doesn't sound as if you were able to reason. I guess the issues--

Gardner: Well, they weren't interested in reasoning. For example, you know we videotaped these things, and you would see the leaders up front, agitating and so forth. Then you always knew when you were going to have trouble when the leaders started filtering to the back. They would leave one person to start it with a rock through the window, so it was all the innocents in the front rows who were arrested.

Lage: So it seemed to you a very contrived sort of thing.

Gardner: Oh, it was, absolutely. All the leaders in the back, slipping away. I could write a book on that.

Now, the Bank of America was burned down then.

Lage: During this same time?

Gardner: There was a student shot there. He was killed. This was very sad. What happened there was Mr. [William] Kunstler, who recently passed away, had been counsel for the Chicago Seven. When that trial ended, he had been invited to speak at Santa Barbara.

Lage: You looked forward to that, I'll bet.

Gardner: Well, he was invited by a student organization. The day after the invitation had been accepted by Kunstler, we were advised by law enforcement that UCSB was targeted for a major demonstration, one of a handful across the country, and the occasion would be Mr. Kunstler's speech. Now, if we allowed him to come, then we would be accused of allowing him to come and incite a riot. If we said he couldn't come, that administrative decision would be the occasion for the riot. "You're going to have a riot either way;" this is what they told us.

I remember we met with the chancellor, and we agreed, "Well, if we're going to have a riot, we're going to lose the outside community in any event. If we say he can't come, we'll lose the inside community as well. We can't lose the inside and outside simultaneously. We've got to have some leverage somewhere to put the pieces back together again," so we decided to let him come.

Lage: Keep your inside community.

Gardner: Keep your inside community. You can't lose both the outside and the inside at the same time or you're without any capacity to recover and move on. So that's what we did.

He came and he spoke, a very fiery talk and so forth, and the chancellor and I were both there. I was sitting down on the lawn. The chancellor was up on the platform. Somebody threw a big cherry bomb or something like that right underneath the chancellor's chair, and it went off. Everybody thought it was a gun. The chancellor didn't flinch. Kunstler was very good, told people to stop doing that, but he gave his speech.

I saw the chancellor afterwards at home, and he was really burned, and I don't mean just emotionally but physically also because of the cherry bomb. He didn't flinch, didn't say a word at the time, however. I saw him later that day.

That night, they had these riots in Isla Vista, and it was in connection with the Bank of America branch that was burned to the ground. I have seen the photographs of the people inside the

bank torching the bank; they were not students. Law enforcement asked me to look to see if I recognized them. I said, "Who are these people? I know all the students, but I don't know these people."

Lage: It's a small enough campus, you would know who the students were.

Gardner: Yes. A lot of them had been in my classes. I can't go into a lot of detail, but anyway, the law enforcement officers--I think were FBI agents--indicated to me that they knew who was involved but were not intending to arrest them.

Lage: Nobody was arrested?

Gardner: Correct, at least to my knowledge. They had their reasons for not arresting them. Rather than arresting them, they intended to keep track of them to discover what connections they had, how they were financed, and so forth. In any event, the bank was burned down. Before it was burned, not that night, but not long before then, there had been a student who had been trying to put the flames out from a previous attack on the bank, and he was shot, killed, by a police officer, who the investigators concluded had been jumping off the police truck that had come in to help curtail this thing, and as he jumped off the truck, the weapon he was carrying discharged and accidentally killed this student. Very, very sad.

In any event, it was a bad scene down there. I'm trying to describe how bad it was.

Then in May of 1970, Cambodia was bombed, and this was a bad time all around the country. I believe this was the time of Kent State.

Lage: Yes.

Gardner: It was really bad. I'll never forget what happened, because we were struggling to keep the campus open. People had strong feelings, they were acting them out, it was the end of the term, it was spring. While we had troubles, they didn't compare with the problems that were occurring at Berkeley and at UCLA, even San Diego. And you may recall that the governor, Governor Reagan, closed all of the campuses. Do you remember that?

Lage: I guess I was so focused on Berkeley, I thought he only closed Berkeley. He closed the whole university?

Gardner: He closed every public college and university campus in the state. He closed them on a Wednesday, I believe it was. Charlie

Hitch, who was then UC's president, put a conference call in to the chancellors. I was listening in, I was in the chancellor's office, and he reported this decision. They had all opposed the decision to close as they thought it would be harder to reopen the campuses than to keep them open.

Lage: How do you close a campus?

Gardner: Well, we just closed it. No classes, offices closed, everyone went home, that was it. So things did calm down. A lot of parents brought their students home and such, so it did calm down.

Then we had to open it the following Monday.

Lage: How long was it closed for?

Gardner: Wednesday to Monday. That's my recollection. That's a long time ago, but that's my recollection of it. But it was give or take a day. So we had to open it Monday. And I remember Sunday night, we weren't sure whether we could open it or not, but we were determined to try. We figured, Well, if we're going to be criticized, we would rather be criticized for trying to open it than trying to keep it closed.

The political-radical student leadership was meeting over in the student union. They had some students around, having this rally and so forth, talking about not permitting the university to open and the steps they intended to take to keep it closed.

Lage: They were on Reagan's side?

Gardner: Yes, but for different reasons one might say.

Lage: [laughs] I know that's not quite--

Gardner: Yes, I know. Both extremes of the political spectrum tend to be much alike. It is only in their ideology that they differ. Well, the student radio station decided to cover this. We didn't ask them to cover it. They went over on their own and covered it. This was then broadcast into the fraternity houses in Isla Vista, into the apartments in Isla Vista. This is in late May, finals are coming up, as was the graduation of large numbers of students. So the student politicians were seeking support to prevent the campus from opening the next day. People then began to realize that many were graduating in three weeks. Didn't take long before students started coming from Isla Vista, and the student union was then jammed with students, not with just a small core from the left.

Well, if you believe in participatory democracy, which is what they were preaching, you could hardly go against the majority will. The majority voted to open the campus the next day, not to prevent its opening; and that's what happened.

Lage: And the administration just stayed home?

Gardner: We didn't do anything; yes, stayed home. We didn't have to do anything.

Lage: That's a nice end to it.

Gardner: That's what happened.

Lage: Now, when you say "we", we're dealing with how large a group? Was it mainly this circle of administrators, or did faculty come in on it?

Gardner: It was a mix, but it would be Steve Goodspeed, who was the vice chancellor for student affairs; Gordon McDonald, who was vice chancellor for research and graduate affairs; Russ Buchanan, vice chancellor for academic affairs; and the chancellor; one or two others, the chief of police, and myself.

Lage: What role did the Academic Senate take?

Gardner: Of course, we consulted with them regularly. We were in very close communication with them. They did try to be helpful, I would say that.

Lage: Was there division about this among them?

Gardner: Some. But by and large, the faculty was really quite responsible here.

We also had a very difficult problem which tended to inform many of these difficulties and influence some of the students, and that was the charges that were brought against a young assistant professor by the name of Allen who had, in the opinion of the university administration and large numbers of students, abused his role as a teacher. Charges were filed, not only for that reason, but also because he had been said to be encouraging students to behave in ways that were hurtful, if not unlawful as well, both to the institution and to their standing within the university.

Lage: Was this having to do with antiwar?

Gardner: Yes. I was asked to help prepare the administration's charges against him, but not exclusively; I had to organize it. The Academic Senate, whose committees played the key role here, voted to recommend his dismissal or suspension, I forget which. That recommendation was confirmed by the administration. He was a friend to a lot of these students who were the most vociferous and the most activist, and that led to a further souring of relations at a critical time. It was local in its character, but it played into the larger scene, and that was a real problem. If you go back and look at the history of that, it was a real problem.

Lage: It gave a local rallying point and made the university a bad guy.

Gardner: Yes, it did. It made all of us bad people in the eyes of some students.

Lage: Would you have handled it differently in retrospect, or advised a different process?

Gardner: No. That process was just what it should have been. We were scrupulous about it, and you just can't let that behavior go unchallenged, even if it causes problems.

Lage: He must have been pretty flagrant.

Gardner: Well, yes. We wouldn't have done it otherwise. [laughter] And the faculty agreed.

Now, one last recollection of that. The last curfew was in the spring of 1970, at the time finals were beginning. Curfew went on at seven o'clock. The L.A. riot squad had been brought in by law enforcement. We didn't; they were put in. We had a curfew on, and they were up. It was nasty, it was bad. We met, and we thought, Now, how are we supposed to have finals? Finals run through ten o'clock, and the curfew goes on at seven in Isla Vista where most of the students were living.

So we worked a deal out with the police such that every student taking an examination after seven p.m. and living in Isla Vista would be given a pass. The curfew was not on the campus, it was in Isla Vista. Students would receive their passes at the time they went to take their final exam. We arranged for a convoy of buses to take them from campus to the area of their apartments. They would then have a pass, and they would have five minutes or so to get to their apartment. That was the deal.

Lage: What a way to go to college!

Gardner: Oh. I must say, if I had had a child there and really knew what was going on, I would have pulled him or her out.

In any event, I'll never forget the first bus convoy after finals that night. I was on the lead bus. Vice Chancellor Goodspeed, who really was responsible for all of the arrangements--I was not--was in the lead police car. We had a big truck with a scooping blade leading the convoy to push debris out of the main intersections, burning dumpsters and old cars that had been torched, pushing that out of the way. Then three or so police cars, then the buses, then a couple of police cars in the back, and a police helicopter up above with a searchlight.

All the lights in Isla Vista, the street lights, had gone out. The students or other residents or visitors had either cut the wires or broken them or shot them out or did so with rocks or whatever, so they were out. It was pitch black. There was tear gas in the air, and the L.A. riot squad was in there in full riot gear.

Then we would let an eighteen-year-old student off and say, "You have five minutes to get to your apartment." Now, this was no way to--

Lage: It's like a war scene.

Gardner: It was like a war scene. We got them in, had no real incidents at all, no problems. It worked. But I was worried about the scene in general because one night earlier that week, Vice Chancellor Goodspeed and I had been driving through Isla Vista, and we almost got a lead or metal pipe right through the window, next to our heads, thrown at us by someone as we drove by. Also, a number of people had been hurt, some severely, over the previous months in clashes between the police and students. Two people had died.

In any event, we got them in, and then Vice Chancellor Goodspeed and I went over to report to the chancellor on how it had gone. But before we went over, we went to see the responsible officers overseeing the L.A. riot squad. We indicated to them that the information we had was that the following night was going to be a terrible problem, that there needed to be some way of reducing tensions, or people were going to really get hurt, and that we just didn't think the timing of the curfew was a viable arrangement for the period of finals, doing this every night. Something was going to happen here, and it was not going to be good. For example, we had reports that all the black powder between Ventura to the south and Santa Maria to the north had been bought out during the previous few days.

Well, we got a table-thumping response as follows, "We have an insurrection here, and we're going to put it down." We didn't get anywhere with the police.

So Steve Goodspeed and I went over to see the chancellor and tell him this. It was a little after midnight. We in effect said, "If we had kids here, we'd pull them out. Therefore, we're not willing to take them in again. It's too risky"--for them, not for us, although we had to worry about it too, but principally for them. We didn't think this was fair to them, to subject them to the kind of problems we thought we were going to have the next night, and the night after that, and the night after that. Someone was going to get badly hurt here or worse.

The chancellor got right on the phone to President Hitch, and Steve and I were on the phone too. He asked me to describe the situation to the president, which I did. Then the chancellor got back on, and the president said, "Well, what should we do?" He said, "We need to have some relief on that curfew." He turned to us and he said, "What can we do?" I said, "Start the curfew at ten-thirty, not at seven. That way, we don't have to run a convoy in. It's also a signal that there's a deliberate effort being made to de-escalate this, and we'll work with people to try and make sure it's understood that way," and so forth. President Hitch said, "Well, I'll call you tomorrow when I get the governor on the line."

The next day, President Hitch, Governor Reagan and Chancellor Cheadle were on the phone. Goodspeed and I were listening on the conference call. After the governor heard the situation, he said, "Well, have you talked with the county board of supervisors?" We said, "Yes, and as to the curfew, they're immovable. They are unwilling to move the curfew from seven to ten-thirty. Would you be kind enough to wield whatever influence you have for the purpose of persuading them to agree to that? Because we've been unsuccessful."

"Yes," he said. I've got to give him credit. He said, "Yes."

Lage: And he got right on this himself.

Gardner: Immediately.

Lage: Didn't have an assistant talk to you or--

Gardner: No. Then he said, "I will dispatch"--I don't know, his legal affairs advisor or somebody--"by private or state plane immediately." Because this was mid-morning, and we had a curfew

going on at seven. This guy came down. He met with the county board of supervisors. I don't know what he told them, to this day. They would know, I don't. They then announced at around six p.m.--

Lage: Oh, that's almost too late.

Gardner: --that the curfew would go on at I think ten-fifteen or ten-thirty.

Lage: And did the evening go okay?

Gardner: Earlier, we had also advised the governor that he needed "to get the L.A. riot people out of here. Put the highway patrol in, the students do respect the highway patrol." The governor said, "Okay." So that night, the business district in Isla Vista was completely surrounded by highway patrol. The L.A. riot police were out of there, for the most part if not entirely, and the highway patrol was in there. At the time the curfew was to go on, there were crowds of people across the street from this thin line of police officers.

Oh, by the way, when we finished with the governor and he agreed to this, he said, "You know, if this doesn't work, it's on you."

Lage: [laughs] He wasn't going to own up to any responsibility.

Gardner: Yes. He did what we asked him to, so that's fair enough.

And all it would have taken was someone to throw a rock, or try to break the police line, or try and attack a business, or break a window, and I don't know what would have happened. The fact is, that didn't happen. A couple of the police officers cracked a couple of jokes, and someone responded in like kind, and kind of softened it. Then they said, "Well, time to go home." And everybody went home. That was it. The curfew went off in a day or two, students took their finals, and everyone went home for the summer.

Lage: What was your estimate of how many of the people involved were students? Was it a large student involvement and then a few outsiders?

Gardner: Yes, yes. Mostly students.

Now, I mention in that detail because it gives you a flavor of the times, and the tenuousness of the arrangements that were worked out, and the fragility of our ability to sustain

decisions, and the narrow range of options that we had available to us, and some of the dynamics that one had to take into account. I'm just skimming the surface here.

Lage: I'm sure. So how long a period of time were you faced with this kind of intense problem?

Gardner: Two years. Two academic years, '68-'69 and '69-'70. Then the students who were leaving that year, who were thought to be among the worst--and they were, although I knew them--they would say, "Well, if you think we're bad, wait till the freshmen come in." I said, "I can hardly wait."

They could not have been more mistaken. They were completely wrong. The juice had been pulled out of it in the spring of '70 with Kent State, the problems we had, other problems around the country. People had gone to the brink, looked over it, and backed off. As for the students, they were willing to protest, but not if it meant they could not graduate. They went over to the student union that one night I mentioned to make sure they could. And as far as I'm concerned, that's when the student protests came to an end throughout the country.

Lage: So '70 was the last year.

Gardner: Spring of '70, because it got too dangerous. It got too close to the fire, and people backed off. So the students who came in in the fall of 1970, no problem.

Lage: Even though the war had not resolved itself.

Gardner: No, no. Now, there were some sputterings that still went on around the country, Stanford and a few others, but that was it for the student protests. That's my view of it, anyway.

Lage: And when you write your book, what's going to be the theme?

Gardner: Well, I could flesh it out. There was a lot of human wreckage that came out of that time. People today tend to glorify it, people tend to reflect back on it nostalgically, people tend to exaggerate their own importance in the matter, and there is undue self-righteousness on the part of a lot of people. I regard it as a tyrannous time when shouting and demonstrations replaced discourse and debate, when civility shriveled and when, if failing to persuade, coercion was thought to be a perfectly acceptable option. But I saw it as a great tragedy for the country and for the universities, because people stopped talking to one another. I don't regard shouting to be the same as talking. We Balkanized. It was both generational and

ideological. People got hurt in this. Institutions, in my view, the universities particularly, were irrevocably damaged. They still hurt from it.

Lage: That's a strong word.

Gardner: Still. They never have regained the level of public respect that they enjoyed before that, and I think we should not underestimate the importance of that. People do remember.

Lage: This is in terms of public respect?

Gardner: Yes. And, therefore, I don't look back on it nostalgically at all. I remember it, but I don't think of it in any nostalgic way whatsoever.

Lage: Do you think of it in a way that has had an influence on how you've responded in future crises?

Gardner: Yes, it had an impact on me. I was resolved, to the extent that I could influence it, never to permit the kind of intellectual intimidation that was so characteristic of the time--

Lage: In terms of faculty being intimidated?

Gardner: Anybody, students and faculty alike. This was not a time of free speech; it was a time when speech was being suppressed. If they didn't agree with you, you were shouted down. So I resolved not to ever be a party to that or to stand by idly and see it happen.

Lage: Did you have to stand by idly and see it happen at times there? You must have.

Gardner: At Santa Barbara? Yes, yes I did. Because in the absence--I never forget that at one time, we were expecting a major demonstration outside the administration building. As I indicated to you that on other occasions, this could get to be a very disquieting experience. We had called maybe thirty, forty members of the faculty who were especially well respected by the students and liked and invited them to come out and engage the students in a discussion, so that the students would not just be there alone without the tempering effect of some more mature adults being present.

Three or four came. The rest of them were in the woodwork. I've never forgotten that either.

Lage: [laughs] Gosh. And we do forget. I mean, I lived through this too, but you've brought it back very well, the intensity of it.

Gardner: Yes. It was a hard time.

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During the worst of that time--1968, '69, part of '70--I developed a severe case of bronchitis together with acute asthma, followed by a very bad bacterial infection. I nearly died.

Lage: Goodness!

Gardner: Yes. And it was a result of both neglecting my health and burning the candle at both ends.

Lage: And stress?

Gardner: And stress. I have already described the kind of life we were leading at that time, but it resulted, in part, in my being admitted to the hospital with about 20 percent lung capacity. When in hospital, the doctor came in and said, "Have you ever smoked?" I said, "No." He said, "Well, that's very fortunate, because if you ever had your chances of recovery would be poor; but as it is you have even odds of getting out of here."

Lage: You were quite young.

Gardner: I was in my thirties, but I was one sick guy. They had to put prednisone and antibiotics in me intravenously for quite a period of time, and a lot of other things, in order to loosen up my bronchial tree and rid it of the infection. It stayed with me quite a long time, months actually.

Lage: That kind of thing takes a long time to recover from.

Gardner: Took a long, long time, and I am still afflicted with it from time to time if I get an infection or am overly tired. So that was a reflection of the conditions in part under which we were working and the stress that was associated with it, and the long and difficult hours we put in, as I've mentioned already.

Lage: Did it also affect your decision later, that you would set aside time for family?

Gardner: It did, because I felt I needed to pace myself, and I decided never again to fall into that pattern of either work or stress. So I did manage to take account of that and did learn from it. I never again allowed myself to get so run down or to be as self-abused as I was at that time, except during Libby's illness and death and the last six months of my work as president of UC. But

in those instances, I didn't have much control over what was happening to me.

And one funny aside: my father came down to Santa Barbara, visited me in the hospital and thought I looked awful. I told him the story about the doctor asking if I had ever smoked. At that time, my older brother smoked like a chimney. My father called him and shared my story with him, hoping this would dissuade him from his smoking. My brother's response was classic. He said, "What are you talking to me for? David's in the hospital." [laughter] So people can rationalize anything.

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One final comment on the unrest at Santa Barbara, and that is that we had a very understanding and supportive press. I don't mean in L.A., which tended to sensationalize it, but the local press. I would go down and meet with the editor and the publisher of the *Santa Barbara News Press* when we knew there was going to be some big problem and I would say, "Look, we're going to have this problem." And we had an understanding. None of this was shared so they could get a journalistic jump on it or anything. I would say, "We're going to have this problem. This is why we're going to have the problem. Here's who's going to be involved. Here are the tactics. Here are the objectives. This is what we're going to do. You need to know why we're doing it, what they're doing."

The result was they really were able to interpret these events and report them in ways that I thought were quite responsible.

Lage: So you got some experience in that area.

Gardner: Oh, yes, the press.

There's an event that illustrates the nature and character of the times and how this impacts people's lives in ways that are usually not reported in the paper and not fully understood, because the press tends to cover the more exotic and visually reportable events. But much what went on that was not reported.

For example, one night, there was a major riot in Isla Vista, and the police went in and they arrested I don't know how many people, but a lot--one hundred or more. One of my jobs was to go down to the county jail along with Steve Goodspeed and make sure everything was okay and the kids weren't being ill-treated--and the police weren't being harassed. So we went down to try and make sure everything was all right.

We got down there one night about two in the morning, and there was this young woman who just clamored for us to come over. We went over to her cell and she said, "You've got to get my baby." We said, "What are you talking about?" She said, "Well, there was tear gas in Isla Vista tonight, and it rises. My apartment is on the second floor, and it was terrible. So I brought my baby out and put her under the stairwell of our apartment, and when I went out to the sidewalk to look to see what was happening I got caught in a police sweep. The baby is still there."

Well, the baby was still there.

Lage: You went back and rescued the baby?

Gardner: We went back, and there was the baby. [laughs]

Lage: Oh, my goodness.

Gardner: I mention this because this time was just full of human drama, just by way of example, of innocents being arrested, of people who were really responsible slipping away, of all the inadvertences that occur. One night we knew there was going to be a major problem in Isla Vista, and Steve Goodspeed said, "Well, you go into Isla Vista at the time the police do, kind of monitor them there, and I'll go over to the San Rafael Residence Hall," which is right on the border of Isla Vista and the campus, a highrise building, "and I'll watch it from there. So we are at least able to have a bird's-eye view and a firsthand witness account of what occurred, we don't have to rely on somebody else's representation." That's what we did a lot.

So he went--he was the slowest-moving guy I had ever seen in my life. I went into Isla Vista. He went over to San Rafael Residence Hall, got up to the roof, went out to peer over the eucalyptus trees into the center of Isla Vista to observe what was going on, because what was going on was the police came in and they put a lot of tear gas out, and the students all ran for the campus. They were all heading for the San Rafael Residence Hall.

Just as Steve got to the roof, one of these grenades, a huge rocket tear-gas grenade--you don't throw them by hand, you kind of launch them--came over the trees and landed almost at his feet. And he was just laid out for the evening.

Lage: Oh, no!

Gardner: He later said, "I groped my way down to the lobby, and here I was with my eyes red, almost unable to see, surrounded by all of the students who were feeling the same way." So there were a lot of interesting--.

Lage: It wasn't what you had in mind when Frank Kidner talked to you about getting involved in higher education.

Gardner: It sure wasn't. Well, it was not higher education, it was a social revolution, not a political one. Then I had to go out to all the Rotary Clubs and the Kiwanis Clubs and explain what was going on and seek public understanding and support.

Lage: Now, that in itself would have been difficult.

Gardner: Yes. To say that the audience was not without a viewpoint would be to misinform the reader. Well, in any event, I'll let you go.

Vernon Cheadle

[Interview 3: October 12, 1995]##

Lage: When we talked last time about Santa Barbara, we focused pretty much on student unrest and your responsibilities in that regard, but let's talk about what else went on. I got the impression from last week--maybe we need to correct it--that those events were so overwhelming that they kind of dominated the agenda. Is that correct?

Gardner: No, only toward the end of my time there. Certainly not before. Nor would it be correct to suggest that they somehow subordinated all other experiences that I had at Santa Barbara, because they did not, unpleasant as they were.

Lage: Let's talk about some of the other things.

Gardner: I was there from 1964 through December, 1970. And with the exception of the last two years, which were decidedly unpleasant on balance, although interesting and professionally engaging, the earlier years were really quite wonderful times for us. We had a small family, it was a wonderful place and a relatively small community to have a young family, we had lots of friends both in Santa Barbara and on the campus. It's a lovely area, superb climate, so one is outside a lot, and with young children that's a plus. We had a really wonderful time at UC Santa Barbara during the years, '64 through 1970.

The campus was growing dramatically. It grew too rapidly, but nevertheless, it was growing and afforded all of us opportunities. It provided the chance for the campus to mount new programs, it meant a major building program, and we were hiring new faculty members.

Lage: Was the budget coming along with the growth?

Gardner: Yes, and we were on a roll. Being part of all that was very satisfying, personally and professionally. So we had a wonderful time there. I still have a lot of friends in Santa Barbara.

Lage: How about the chancellor, Vernon Cheadle?

Gardner: Vernon Cheadle gave me my first real opportunity in the University of California. He was a dedicated, committed University of California citizen. He had come from the Davis campus. He and Chancellor Aldrich had been friends at the University of Rhode Island and many years before. He was a botanist out of Davis, as I mentioned, and was quite well known in his field, and kept active in it throughout his chancellorship.

Lage: That's hard to balance, I imagine.

Gardner: Yes. He managed to do that. He and Mrs. Cheadle, Mary Cheadle, were really quite wonderful to our family. He provided plenty of opportunities for me, gave me tough assignments, vested confidence in me. We had a wonderful team there; they were personal friends as well as professional colleagues.

Lage: What kind of a leader was he?

Gardner: Well, he had high standards, he knew where he was going with the campus. He wasn't confused about that. He wanted to make an institution that would be respected for its scholarship and known for the quality of its teaching, and he really worked hard on both counts.

Lage: It really hadn't been a general campus too long.

Gardner: No, I think this was the only campus in the University of California that had first been a state college, a teacher's college really. When the university took it over, they moved the campus from the city of Santa Barbara out to the Goleta Valley, where it's now located. And they went through a series of administrators before Vernon Cheadle was appointed chancellor. He was, I think, the first chancellor of the campus. I think that's correct, although I'm not absolutely sure of that. In any

with the academic plans, the long-range development plans, the building plans, and the financial plans for the university. I was part of that and enjoyed it very, very much.

Lage: So did you have general responsibilities, then, that you got in on all of these areas?

Gardner: No, I was not responsible for all that, but I was conversant with what was going on all across the board, as it were. My functional assignment was mostly community relations, alumni relations, governmental relations, relations with the press, with the community, development responsibilities, and so forth. And to do that job well, one needs to have a sense of what's going on in general. Therefore, I was part of the chancellor's cabinet, his team, and was kept fully informed about all of the issues that were affecting the campus, both from within as well as from without, as well as within the University of California itself.

Governmental and Press Relations, Development

Lage: You mentioned governmental relations. What did you do in that field?

Gardner: My job was to help the University of California as a whole with its legislative network. So the state senators from Santa Barbara, the members of the state assembly from Santa Barbara County were persons whom I came to know, with whom I worked in connection with University of California issues in Sacramento--

Lage: This was known as one of your strong points as president.

Gardner: That was a very good experience, because I did come to know these people and get a more informed sense of their work and the arena in which they undertook to meet their responsibilities. It was a small county, so you came to know these people, you would see them at parties. It was an easy thing to do.

I also met with the press on a regular basis and kept them informed about what was going on, and had a pretty good sense of how the press worked at that point. And in the development area, I was acquainted with the major donors within UCSB's orbit.

Lage: I never think of development as going back that far.

Gardner: Oh, sure. Oh, yes, we were raising money then.

Lage: And that was done by the campus, not by alumni?

Gardner: Well, it was a mix. We also strengthened the Alumni Association. I worked hard to strengthen it, having been with the Alumni Association at Berkeley for many years.

Lage: Who did Santa Barbara look to? Did they look to Berkeley as a guide, a model, or UCLA?

Gardner: No, they looked to Berkeley. I remember during the Free Speech Movement--which as you recall was centered at Berkeley, it was not universitywide--Berkeley was having a lot of problems. Someone suggested one day--this was in '64 or '65--that this was a real chance for UCSB and the other campuses to bleed some money off of Berkeley and to enhance their own prospects. I remember the meeting where this occurred.

Lage: Somebody in this inner circle?

Gardner: Yes. And the chancellor said, "Absolutely not. We do not enhance the future prospects of this campus, which looks to Berkeley as its standard, by diminishing the standard." I've always remembered that, and I agreed with him completely. So that was just dismissed. But there was some talk along those lines all across the university, as I recall.

Lage: Well, you always hear of a lot of tension between Davis and Berkeley.

Gardner: Yes.

Lage: And with Cheadle having come from Davis, you might expect--

Gardner: No, not at all. No, Berkeley was the standard for him. There was never any ambivalence about that. And I respected him. He was a person of great personal integrity, a very hard worker, very committed person, and we worked well together. He had a very difficult time during the antiwar demonstrations. It was not his cup of tea. It had not been within his purview of previous experience or responsibility to deal with, and it was just a very difficult time for him, very difficult time. I think I mentioned some incidents that reflect that earlier in our conversation.

Lage: Right. So he was glad to see it end.

Gardner: He was glad to see it end.

Lage: Now, did you deal with the Academic Senate--

Gardner: Yes.

Lage: Or were you a member of the Academic Senate?

Gardner: Oh, yes, I was a member of the faculty, and, therefore, a member of the senate. I had a split appointment, half time in the School of Education and half time in the chancellor's office. We all know that means 150 percent time and effort.

Lage: Right. But did you have any active role in the Academic Senate?

Gardner: No. As an administrator, I could not; although I was a member. I did work with the Academic Senate closely on any number of issues that appeared to be more suitable for my involvement than for the involvement of the academic vice chancellor, and that would vary. The chancellor would use us one way or another, depending on the issues. So I did work with them, and I came to understand the role of the senate as a result with far more and greater comprehension than I would have had coming out of Berkeley, because I didn't have occasion to work with them at Berkeley. But at Santa Barbara, I really came to understand how UC's shared governance concept worked in practice and was very comfortable with it. I never had a problem with it.

Storke Tower and Plaza

Gardner: I should mention one or two other things. The focal point geographically of the UCSB campus is the Storke Tower and Storke Plaza. This is a plaza and carillon tower in Santa Barbara, named after Thomas Storke. He was a very-well known Californian and a prominent businessman, prominent in governmental circles, the owner of the *Santa Barbara News Press* and other interests, and a very good friend of the campus. In fact, I think he was instrumental in bringing about the transfer of the teacher's college to the University of California. So he was always looking for ways and means of helping.

And if one looks at most of the campuses, there is some means of depicting the campus that is recognizable worldwide. At UCLA, it's the acronym itself, or Royce Hall. At Berkeley, it's the Campanile. At San Diego, it's the library, and so forth. Santa Barbara had no such symbol, as it were.

So I suggested to the chancellor that we approach Mr. Storke, who was then elderly, to see if we could not put in a carillon tower and a very nice plaza connecting to the student

union building on the lagoon. We pulled it off, and I was real happy about that. So every time I see that, I think, Well, that's something I helped to bring about.

Lage: You took the idea to Mr. Storke, and he agreed?

Gardner: Yes.

Lage: And has it become a recognized symbol?

Gardner: Yes. It's the one that shows on their literature and other things. It's visible from the freeway and from the airport, and people know where the campus is. The carillon bells are really beautiful bells, and the inscriptions on them are worth noting, actually. There's some wonderful inscriptions on the bells. They were made in Holland, I believe it was. So I was proud of that.

Lage: Were you thinking of the Campanile, or did you have another model in mind?

Gardner: Yes, that's what I had in mind--of a much lower profile than the Campanile, but on the same order, one that fit the Santa Barbara campus. So I was real happy about that.

Proposed Book on the Free Speech Movement, 1966

Gardner: The one other thing I should mention: my book on the loyalty oath was published by the University of California Press in 1967. Before it was published, Clark Kerr knew it was coming out, because I talked with him, of course, in the course of my work. He asked for a copy of the manuscript, which I sent to him, which he read.

Lage: Was this after the Ph.D. had been accepted?

Gardner: After the Ph.D. but before the publication of the book. I guess it was in '66, and the book was published in '67. I completed my Ph.D. in '66.

I got a call from President Kerr asking if I would come up and see him, so I did. He was very commendatory regarding the quality of the research, the writing, and the general scholarly nature of the work, and asked if I would be willing to do a comparably objective and impartial study of the Free Speech Movement. This was in '66. It was before he was dismissed.

Lage: But you would have much less hindsight, if you had done it at that point.

Gardner: Yes, but he wanted me to do it first of all because he thought I could, given his assessment of my book on the loyalty oath, but also because there's a direct link between the loyalty oath and the Free Speech Movement on the Berkeley campus.

Lage: Do you want to explain that link?

Gardner: You should ask Dr. Kerr about that.

Lage: Ask him what his view of it is?

Gardner: It goes to the attitudes of some faculty members, certain events and incidents that occurred at the time of the oath as they spilled over into the FSM, and so forth. Some of the attitudes of some faculty members at Berkeley during the Free Speech Movement were colored by the loyalty oath. Kerr's position vis-a-vis one compared with the other is implicated. I think Dr. Kerr will be commenting on that in his autobiography of those times.

Lage: I would expect so.

Gardner: So he asked me to do this. I said, "I can't do it working full-time." He said, "We'll arrange a leave for you." I said, "Well, if I can have access to the primary sources such as I obtained in the loyalty oath, I'll be willing to consider it." He said, "You can have all of mine." He referred to several boxes of personal material and files.

I said, "Let me see what I can do." And I had some success. I talked with Marty Meyerson (acting chancellor of Berkeley following Chancellor Strong's resignation and later president of the University of Pennsylvania), and he was responsive in a very affirmative way. I talked with Professor Art Ross and a number of other people who were instrumental in this and was encouraged to believe that this might in fact be possible--although in retrospect, it was probably too soon, but in any event, I was proceeding at the president's behest.

I visited with former Chancellor Ed Strong, and as you recall, he and President Kerr had a falling out. But I knew Ed Strong and liked him, and we got along well. I had taken him on alumni trips when he was chancellor, so I knew him. He liked what I had done with the loyalty oath book, basically. He said, "Do you have the verbatim transcripts of the Board of Regents meetings dealing with this issue?"

Well, the fact is, I had them, but I did not have them officially.

Lage: Is there a story behind that?

Gardner: [laughs] Well, I just had them. Not officially, but I had the verbatim transcripts of closed session meetings of the Board of Regents on this issue.

Lage: Oh, fascinating.

Gardner: Yes. And I said, "I have them, but I don't have them officially, and therefore I can't use them."

Lage: Oh, I see. You weren't supposed to use them.

Gardner: Well, I did not have them officially, and not having them officially, at least in my mind, precluded the possibility of using them.

He said, "If you can get the Regents to release the transcripts to you, I will give you my papers. And if you cannot, I will not." I said, "Okay."

I went to Kerr, and President Kerr took the issue to the Regents and lost it on a split vote.

Lage: Does that mean it was close?

Gardner: Fairly close. And I remember Clark said, "Well, we can't do it now, let's try it later." I went back and told Ed Strong. He said, "Well, I'm not comfortable releasing my papers unless you can also persuade the board to release theirs." I thought to myself, I can't do this. I can't do it without Ed Strong's cooperation, who was a key player in this; I can't do it without the Regents' minutes, which I had had for the loyalty oath work. Dr. Kerr and I agreed that we should postpone it.

Lage: And here it is more than thirty years later.

Gardner: I think it's probably too late now because a lot of the key players are dead, or their memories will have faded, or the papers will have been lost. I think I could not do now what I could have done then.

Lage: Or could have done even a few years later.

Gardner: Oh, even a few years later. Then, of course, President Kerr was dismissed--

Lage: Fired with enthusiasm.

Gardner: Yes, that's the great phrase. I've always loved that. [laughs]
So the story of the Free Speech Movement has not yet been told.

Lage: It really hasn't. There are pieces.

Gardner: It has not been told. What one reads are polemics from one view
as compared with another. They are incomplete. The primary
sources are sketchy. It's full of argumentative rhetoric of one
kind of another and unwarranted nostalgia.

Lage: And partial views.

Gardner: And partially informed views, sketchy knowledge, presumptions,
speculation passing off as facts. I know enough about it to know
it hasn't been done.

Lage: You've read those Regents' verbatim transcripts.

Gardner: Yes, I have them, and a lot of other things. I think Dr. Kerr
will cover some of this in his memoirs.

Lage: I'm sorry to hear you say you don't think it can be put together
at this point.

Gardner: I haven't thought about it for a long time; maybe it could be. I
just know that a number of the key players have passed away.

Lage: We did an oral history with Ed Strong. He had his papers and
went through them very carefully.

Gardner: Yes, of course. That's only partial, too.

Lage: Many of his papers are in the Bancroft Library. That would at
least give us one viewpoint.

Gardner: Yes.

Clark Kerr's Firing, January 1967

Lage: You mentioned the firing of Clark Kerr. I wondered how Santa
Barbara viewed that whole situation.

Gardner: Well, along with the whole university, we were taken aback,
dismayed, almost unbelieving. Here was one of the premier

presidents of any university in this century, whose reputation was worldwide, who had anticipated the growth of the University of California and had arranged to accommodate it in an orderly and rational way by means of helping to bring about the California Master Plan for Higher Education in 1960. I believe he brilliantly planned for the University of California's own future with additional campuses, while maintaining and indeed enhancing the quality of the faculty and the standards that the institution stood for, and exerted the kind of leadership, not just management, of the university that was acknowledged far and wide. And for him to be dismissed under these conditions seemed to me to be almost scapegoating him.

He was confronting issues and behavior of a kind almost without precedent in American higher education. No one had had experience dealing with behavior of the kind that he was obliged to confront with the Free Speech Movement. There was very little help that could be brought to bear on this for him in terms of other people's experience; Berkeley was first. He was an academic, and this was a decidedly nonacademic form of student expression. And it seemed to me that it would have been extremely difficult for anyone else to have done as well as he did.

So whatever his deficiencies, or whatever failures people attributed to him, he did his best, which was at least as good as anyone else could have done. That's the way I looked at it. And I thought, therefore, that this was a not only regrettable but a decidedly unfair and misplaced judgment on the part of the board to act as they did.

Lage: Did people at the time on the Santa Barbara campus perceive it as a real political interference? Reagan had quite a hand in it.

Gardner: Well, that's problematical. I mean, that's the view, but it's my impression that while Governor Reagan was not one of President Kerr's most unqualified supporters, he did not welcome the president's dismissal in January.

Lage: Oh, really?

Gardner: He might have welcomed it later in the year, but not then. That's my understanding of it.

Lage: How do you understand it that way?

Gardner: Because the governor would be aware that the burden of the dismissal would fall on him.

Lage: Because of the timing.

Gardner: It would be attributable to crass political interference in the internal affairs of the institution, and I think he would have preferred that some time pass before the president would be invited to step down.

Lage: So it appeared to you it was more of a shift--

Gardner: Well, there was some maneuvering going on to deal with this.

Lage: Were you in a position to be an observer of the Regents at that point?

Gardner: No, I was not. I've heard this from a number of people who were actively involved in the process.

Lage: Did you hear later or at the time?

Gardner: Later.

Lage: So this is some people looking back on it.

Gardner: Yes.

Lage: When you were learning about how to handle the Regents, I'll bet.

Gardner: Right. So I think that this was not a matter that the governor especially welcomed in January of 1967. He might have welcomed it in June or July, but not in January. There were other forces at work there.

Lage: Maybe some of that will come out later as well. You have a lot of books to write. [laughter]

Gardner: Well, I have some.

Lage: I've heard it said that you thought you could write about the student unrest period. You've mentioned that in interviews that I've looked at.

Gardner: Yes, I could.

Lage: Are you going to get to any of these projects?

Gardner: I don't know. I surely could, because no one has even undertaken to try and report the story of all the difficulties at Santa Barbara, except for Professor Robert Kelley. It was quite

fascinating, almost a microcosm of what was happening around the country.

UC Santa Barbara's Relations with Systemwide

Lage: So you were not in a position to go to Regents' meetings or have an inside track on that.

Gardner: Actually, I was attending Regents' meetings, but I did not have an inside track. I wasn't that close to the inner circle. But I attended Regents' meetings on a regular basis from about 1966, '67 on.

Lage: As part of your responsibilities?

Gardner: As part of my responsibilities at Santa Barbara. I think it was after I was appointed vice chancellor. It was probably '67 or '68 on. I was not there when President Kerr was dismissed, for example. But later on, I attended on a regular basis.

Lage: Were these interesting to you as a professional in higher education as well?

Gardner: Yes, very interesting.

Lage: Were you analytical in your approach to these things?

Gardner: Very. I was almost detached as I sat there in the meetings, in terms of the role that I was performing for the campus, but instead substituted my professional hat and was seeking to make some judgments in my own mind about what I was observing, what was occurring, why it was happening that way, who was doing what to whom.

Lage: What were you thinking about?

Gardner: What real issues were in contention.

Lage: How did the statewide UC system appear from the Santa Barbara campus? You mentioned a lot of planning going on. Was that initiated by Clark Kerr?

Gardner: Yes, it was, but it was left to the campuses to do most of the planning, although the president's office in those days would have been more involved than would be the case today, because the university was a much smaller institution then. But

nevertheless, big enough. I found that the relations with the president's office and the campus were by and large fine. I think they were by and large quite productive. I never found people to be indifferent or uncaring.

Lage: Or interfering?

Gardner: Certainly trying to help. Not really interfering; they were trying to help.

I know that Chancellor Cheadle, on the other hand, would become quite irritated, not at the usual workaday matters that would be taken up with the president's office, or by the president's office with the campus in general, but with what the chancellor thought was a preoccupation by the president's office with the Free Speech Movement and what was occurring at Berkeley. His source of irritation, which I think was shared by most of the chancellors, was that the president's office accorded Berkeley a disproportionate share not only of its time but of its psychic energy, which Cheadle thought was not warranted, given the growth of the University of California on the other campuses. There was that feeling. But I think in terms of dealing with the president and the vice presidents and others on routine matters, it was fine.

Lage: Now, was this feeling the same--was it primarily under Kerr, or did it last through subsequent presidents? You had three different presidents during your time at Santa Barbara: Kerr, and then acting President Wellman, and then Charlie Hitch.

Gardner: Didn't make any difference. Same thing, pretty much. We didn't have a lot of problems. I don't think they were interfering. They were trying to help us.

Lage: But the feeling that Berkeley took precedence: that wasn't just with Clark Kerr?

Gardner: No. That was during the Free Speech Movement, as a pronounced expression of that inclination. But I would say after the antiwar demonstrations started on several campuses, not just on one, those feelings dissipated. [laughter]

Lage: Then they had their own problems!

Gardner: Then they had their own problems.

Lage: Okay. Well, what have we not gotten that we should talk about in relation to your experience at Santa Barbara? Something you might have taken with you for future reference.

Gardner: Well, I think we've talked about the ethnic studies matters, we talked about the growth of the campus, we talked about the antiwar demonstrations, we've talked about the nature of my job, and the chancellor, and colleagues there. I was teaching at that time, which I enjoyed.

Lage: You talked about that a little bit last time.

Gardner: Yes. I remember I had a group of students sitting in the top floor of the administration building at one point--I don't know, '68 or '69 or something--and they wouldn't let anybody out or in. I got up and I said, "Well, you're going to have to let me out, I have a class to teach." And they all just parted like the Red Sea, and out I went. [laughter]

Lage: They allowed you to put your faculty hat on?

Gardner: Yes, put my faculty hat on, and they let me out.

Lage: They must have been interesting times.

Gardner: They were interesting times.

The Gift of the Sedgwick Ranch in the Santa Ynez Valley

Gardner: I have been following a controversy for the last several years at Santa Barbara regarding the intended disposition of the Sedgwick Ranch in the Santa Ynez Valley, which is over the San Marcos Mountains from the UCSB campus, from Santa Barbara generally. There is a good deal of controversy now about Mr. Sedgwick's intentions when he gifted most of the ranch to UCSB, what he really wanted to do with it, and everybody remembers it differently.

Well, I negotiated that gift. This was a gift to UCSB of over 2,000 acres of pristine ranch land in one of the most beautiful areas of California. It's an absolutely fabulous piece of property. Duke had been ranching there for years. Well, he was a character, if I may understate it. Duke Sedgwick was his name. We came to be quite good friends, even though our lifestyles were worlds apart. And when he became ill and it came time for him to consider a gift to UC Santa Barbara, he wanted to make a gift of his paintings, and he wanted to make a gift of his ranch.

Lage: Were these paintings that he had painted?

Gardner: No, these were Renaissance paintings by great masters that he collected over the years. He was wealthy and an art connoisseur as well as a rancher.

He was a very interesting person, full of ability and with a great scope of interest. His intention was to keep his ranch intact. He did not want it or any part of it sold. He wanted it left as it was, for the university's benefit as part of UC's Natural Land and Water Reserve System and as a possible site for a UCSB extension or continuing education center. And I negotiated the gift. I'm the one who worked with him. I'm the one who drew up the arrangements, and then, of course, general counsel put it into appropriate language; but the terms and principles and issues were my responsibility to negotiate, which I did at Chancellor Cheadle's behest.

He left, I believe it was, 75 percent of the ranch outright in his will to UC Santa Barbara. Mrs. Sedgwick, who survived him, was, upon her death, to bequeath the remaining 25 percent. This was an undivided percentage interest. That means she owned 25 percent and UCSB owned 75 percent of every acre, undivided interest. He didn't take 75 percent of the ranch in some section or part and give it to us; he gave us 75 percent of every acre, and Mrs. Sedgwick had 25 percent of every acre, undivided, upon his death.

After his death, and for reasons with which I'm not acquainted, because I was no longer there, Mrs. Sedgwick chose to leave her 25 percent not to the university but to her children, upon her death.

Lage: That complicates things.

Gardner: So now we had the heirs owning 25 percent undivided interest of every acre, and the university owning the other 75 percent. And I understand that the children want to sell their portion of the ranch. Now, they were willing to sell it to the university for fair market value, but if the university isn't going to buy it, then they want to sell it on the open market and get their inheritance. They cannot be faulted for that; they own it. But it was certainly not Duke's hope and expectation that it would wind up that way.

So there's been a lot of controversy and so forth about what his intentions were, and I wanted to put that into the record. He wanted the ranch to be kept intact.

Lage: What kind of outcome does it look like there will be?

Gardner: I think it's still controversial. As far as I know, they haven't been able to sell the undivided interest, because they couldn't settle on how to divide the property so they could sell some section or portion of it. And some people at the university want it for the natural reserve system. Others on the campus believe that some section of it should be sold to benefit the museum at UCSB so that they could house the collection of master paintings Duke also gave to UCSB. But I wanted to put into the record what his intentions were, having negotiated the gift, and having had a lot of respect for him.

Lage: Has anybody inquired of you from the university?

Gardner: Oh, yes, I had to testify in a court case on it. But you know, you can only answer questions you're asked. I also had some inconclusive discussions with the attorney for the Sedgwick children when I was president. I do not know of its present status.

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V UC VICE PRESIDENT, AND DEAN OF UNIVERSITY EXTENSION, 1971-1973

Deciding to Leave Santa Barbara

Lage: How did you get up to the statewide campus? Or statewide--well, some people do call it a campus.

Gardner: Yes, some do. Well, that was very interesting, because during the antiwar protests, and as you will recall in our earlier discussions, we had more than our share of troubles.

Lage: More than other campuses, even.

Gardner: Yes, because we were more vulnerable. We had less of a capacity to deal with them than UCLA or Berkeley, and we were on the travel route between Berkeley and UCLA, so we got more than our share. And of course, the Regents wanted to know what was going on. Wherever in the university there were major problems, we had at least our share of them.

The chancellor could not bring himself to make these reports. He was so disdainful of what was occurring and so offended by it, so he asked me to make these reports.

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Gardner: I was asked by him to report to the Regents on how we dealt with these incidents, where we erred, where we called it right, what were the implications, what did it look like for the coming month, and so forth. That was my job, and I did that fairly regularly.

Lage: The Regents were intensely interested, I guess.

Gardner: They were, and so was the president. Chet McCorkle, who was the vice president of the university at that point, and the president

were seemingly impressed with my presentations. To make a long story short, I was asked to serve as a vice president of the university on recommendation of a faculty committee. This suited both Chet McCorkle and the president just fine, because I think they had their eye on me anyway.

I talked to Chancellor Cheadle about it, and he said, "Well, the real action is on the campuses. But you'll get a range of experiences there that you cannot get here," so he kind of, I think reluctantly, encouraged me to consider it favorably, which I did.

Lage: How did you feel about the offer? Was it something you had to think over?

Gardner: Yes, I had to think carefully about it, because we loved Santa Barbara. I could imagine myself at least being considered to replace Chancellor Cheadle--several years down the line, not any time soon. We had our friends and our life in Santa Barbara, and we weren't really wild about coming back to the Bay Area. But we thought professionally, at my age--I was thirty-seven at the time--that this would be a real opportunity at my age. So we decided we would do it, so we did.

Lage: Now, you were vice president of extended academic and public service programs?

Gardner: Yes. It's a ridiculous title, and no one knew what to call it, but it consisted of being responsible for University Extension across the university and for summer sessions across the university. But I had been asked to serve principally for the purpose of seeing whether or not the University of California could mount a degree program for part-time adult students, which we called the Extended University.

Lage: Oh, that's where this extended part comes in.

Gardner: That's correct. This was a time when nontraditional education was very much on the minds of educators around the country: that there was an array of very well-qualified adults who, because of family, home, or work obligations, could not pursue full-time study in residence, and that CSU and the community colleges were far more accommodating of this pool of students than the University of California, and we ought to see what we could do about it. So that's really why President Hitch asked me up.

Lage: And did this suggestion come out of a faculty meeting?

Gardner: It came out of an all-university faculty conference. I forget where it was held, but there was an all-university faculty conference the previous year, and the recommendations coming out of that conference encouraged the university to at least probe this prospect.

Lage: With the thought that it would be conducted through the Extension facilities, or by giving part-time--

Gardner: Well, this was one of the issues. The Extension people, not unanimously but by and large, believed it should be done through their entity, their operation. Others thought it should be done in the usual way, where degrees are controlled and administered, monitored, the teaching occurs, that is, at the departmental level. One of the big problems I had was to try and find my way through that thicket, part of which was educational and part of which was turf.

In any event, I accepted the position because of that opportunity. I did not accept it to run University Extension or summer sessions, interesting as that was, and I had a lot of respect for the University Extension program. I thought it did a great job, I really did. I got to know the deans and the program and had a lot of respect for them, and still do. But I really accepted the job to see if we could mount this new part-time degree program.

Lage: Because I have the impression that each Extension office kind of ran its own show.

Gardner: They did.

Lage: And the dean was a coordinating function.

Gardner: The deans on campus reported to their respective chancellors or vice chancellors. So I did not administer it, but I had the job of formulating universitywide policy that affected Extension, of championing their interests in the president's office and in Sacramento, et cetera. But I didn't administer it in that sense. I didn't manage University Extension. The campus deans or directors of Extension did. Mine was a staff role in the president's office.

University Public Service Program

Lage: I'm just looking to see what other programs you had under you.
[looks through papers] University public service program.

Gardner: Oh, yes, I forgot about that.

Lage: It's a whole group of things.

Gardner: Well, that's right. I forgot about that. They also asked me to see if we could somehow connect the university's intellectual resources to the needs of the state legislature for information and knowledge about public issues of concern to them. So we tried to provide an established mechanism for facilitating access on the part of legislators to persons in the University of California who had expertise of the kind they required, and that's what we meant by public service, at least in part. So we did that as well.

Lage: These were new--

Gardner: These were all new initiatives.

Lage: And then you had Continuing Education of the Bar under you, and a couple of other things.

Gardner: Correct, I did.

Extended University

Lage: Now, were you brought in with the charge to develop this part-time program, or to see if it was feasible?

Gardner: Both. If it was feasible, then to develop it.

Lage: Tell me about what happened. I don't recall that we ever got one.

Gardner: Well, the concept was unevenly received across the University of California. We made very good headway on some campuses and virtually no headway on others. We also had fights between the departments and Extension. UC Irvine was very responsive with Dan Aldrich, who believed in this; UC Santa Barbara was responsive, but had a very small pool of potential students within its geographic orbit; Berkeley responded at the

professional school level, and the master's program in business in San Francisco for part-time adults was a result of this, still going, I believe. UCLA was very aggressive about this--

Lage: Aggressively in favor?

Gardner: In favor of it, and they had a wonderful Extension director there, a very distinguished, able person, who helped move UCLA, with Chuck Young's support. Chuck Young was quite supportive of this. So it was unevenly received across the university.

Lage: Berkeley was not responsive at the undergraduate level?

Gardner: By and large, we did not make any headway at Berkeley at the undergraduate level.

Lage: Because of faculty or Extension people?

Gardner: Oh, because of faculty. Some were supportive, but by and large, they didn't want to be bothered with it.

Lage: Did you think it was a good idea? What was your impression?

Gardner: Yes. But in retrospect, we were ahead of the curve.

Lage: And now where are we?

Gardner: I think it would be well to reconsider this possibility.

Lage: It seems like it's almost happening.

Gardner: It is. It's going to happen whether we do it or not.

Lage: Young people are not able to attend full-time.

Gardner: That's the way it's going to go, that's exactly right. I think we ought to be thinking of how the University of California can, in the 1990s, extend its capabilities to a wider audience in ways that fit the current lifestyle of large numbers of very able people. I'm not much more optimistic about it today, however, than I was in the 1970s.

Lage: Too much inertia?

Gardner: A lot of inertia, yes. And some people just think we ought not to be in that business. They believe we should leave that to the community colleges, leave it to CSU, but don't implicate us in it. That's probably true for some areas and some disciplines and

so forth, but it's not a proposition that I think is generally supportable in the long run.

Lage: Well, when you think of yourself, you had two full-time jobs, getting your master's and even working on your Ph.D. when you were back at Berkeley.

Gardner: Oh, yes. Here I was, a former part-time graduate student who just happened to be fortunate enough to have a job on a campus which made it possible for me to earn my degree while working full-time. I've never thought of myself as deprived educationally or incapable of doing the work that was expected of me because I happened to be an adult, part-time student.

Lage: Right. So it probably does happen.

Gardner: It does happen.

Charles Hitch

Lage: Let's talk about what else you might have learned about the university and about administration.

Gardner: I learned a lot. I had great respect for President Hitch, one of the brightest people I've ever worked with. He was quiet, unassuming, almost retiring in his personal demeanor and presence. He was exceedingly bright, very patient with me, helped me along.

Lage: On a one-to-one basis?

Gardner: Yes, one-to-one. I would go into his office. There would not be a single piece of paper on his desk. He would be smoking his cigar. "Well, what's up? What's new?", he'd ask. Nothing on his desk. I said, "How do you do that?" "Well, that's why I have vice presidents," he said.

Lage: How did he do it?

Gardner: I have no idea. I mean, it was astonishing, but he did do it.

Lage: He wasn't hands-on?

Gardner: He was not hands-on, but he did know what was going on. It wasn't as though he didn't know what was going on: he did know, but he did not burden himself with the daily movement of affairs.

Lage: Would he call you in to talk with him, or did you just go when you felt you needed it?

Gardner: Either way. Any time I needed to see him, he would see me, and other times he would call and say, "How are you doing? Do you need any help anywhere? Do you need your budget augmented to help your program?" He was very supportive.

I'll never forget, I was in his office one day, and it was budget time. He had a call from I'm not sure who in Sacramento. He said, "Uh-huh, uh-huh, did you say \$10 million? Yes, uh-huh. Thank you very much." He said, "Well, that was a call from"--whomever it was--"reporting that the University of California's operating budget for next year has been reduced by \$10 million. This reduction was the price we are paying for having been unwilling to admit to the medical school at San Francisco the son of a prominent constituent and supporter of a key member of the state legislature."

Lage: Oh, you're kidding.

Gardner: No, I'm serious. And he said, "That, of course, is the price we have to pay to maintain the university's independence. Never forget it."

Lage: [laughs] How interesting.

Gardner: That's right. And I never did forget it. He was a person of great personal integrity, worked very hard.

Lage: Tell me about his background.

Gardner: Well, he was an Oxford don for thirteen years. He was in OSS during World War II working with the British government on the strategic bombing of Europe by the Allies. He then went to the RAND Corporation, wrote a book on the economics of defense--I forget the title of it, but that's what it had to do with--which caught the eye of Bob McNamara, who was secretary of defense. This was later on. He was then invited into the Pentagon as his deputy secretary or something like that, along with all the whiz kids that McNamara brought in from Ford, and performed brilliantly. Everybody knew what he was contributing.

Clark Kerr recruited him as vice president for administration, I think, or for finance, I'm not sure of his title. You can find it in there. He was then serving in President Kerr's administration when President Kerr was dismissed. Harry Wellman was appointed as acting president for one year, and then President Hitch was appointed.

His biggest problem as president was keeping the university open and operating because of all of the student unrest in the first two to three years of his administration, and the public and legislative fallout in the last two or three years of his administration as well as because of major schisms within the Board of Regents.

Lage: The background you've described doesn't sound as if he had special equipment for that role.

Gardner: No, but you know, he had been in the Pentagon for a long time, and he had been in OSS during World War II, so he was mentally quite tough enough to deal with it. There was more than one occasion, I think I've referred to some of them, when I had occasion at UC Santa Barbara working with the chancellor there to be involved in discussions with President Hitch, and I found him to be a very steady, clear thinker, quite willing to do what needed to be done. He never shied away from it, and wasn't disposed to rationalize an action that he knew not to be correct but which appeared to be easier. He never did that. So I think he was prepared for his work.

I think he spent a disproportionate share of his time dealing with the student unrest and the legislative and political consequences flowing therefrom. Much of his time was consumed dealing with the Regents, who were badly divided, in an effort to try and hold the center together, or even occasionally to find a center. And finally, with the fiscal difficulties of the medical centers and hospitals which were at that time threatening the fiscal integrity of UC.

Lage: Which was an ongoing problem.

Gardner: Ongoing problem, multimillion-dollar problem, and I think he spent most of his time dealing with those problems. So it was not, in my view, a very happy time for anyone to be president. I will say that I think Charlie Hitch steadied the institution, stabilized it.

Lage: Wasn't one of his strengths in budgeting and planning?

Gardner: Oh, yes, he was brilliant in that.

Lage: How about administrative? It looks like he did a lot of administrative redesign.

Gardner: President Hitch? I don't recall. I think he did it before I went up.

Lage: That could well have been, that it was already in place.

Gardner: Yes, I didn't get much involved in that.

Career Planning; More on Extended University

Lage: Did you see yourself as a person in training? Were you learning as you passed through these various places?

Gardner: Well, I suppose I had thought that I might be invited to serve as a chancellor somewhere. I never dreamed I would be invited to serve as president. It just seemed so far beyond any reasonable expectation. Besides, I had not been an academic in the conventional sense of the term, and I was a Mormon.

Lage: And you saw that as a hindrance?

Gardner: Oh, yes, absolutely, which I think was correct.

Lage: Did it come up?

Gardner: Periodically (not only at UC but also at other places where I was being considered for a presidency, the University of Michigan, for example). People don't have to say it for me to know what's happening. So I hadn't really anticipated that possibility. I had anticipated maybe being a chancellor somewhere, maybe if UCSB had come up.

But I was then at the president's office from January of '71 to I think March of '73, when I was invited to serve as president of the University of Utah. I was thirty-nine at that point.

Lage: And that's young also. But I don't want to skip so quickly through the president's office. I want to see what you think are the important things. Were there mentors or people who became important to your career or life?

Gardner: Well, President Hitch was probably as close to it as anyone. So, too, were Vice President McCorkle and Vice President Kidner. I was just working very hard. I was trying to get this Extended University program on its way, I was visiting the campuses, I was trying to sell it in Sacramento. I am proud of the fact that, if my memory serves me correctly, it was the only new program Governor Reagan was willing to support at the University of California, and he did fund it. That gave us money to get it started on a few campuses, which we did.

Lage: Oh, so you did start it on a few campuses?

Gardner: Oh, sure, yes, we did.

Lage: I see. I had the impression that it didn't happen at all.

Gardner: No, we started it on several campuses.

Lage: On the campuses that were willing.

Gardner: Yes. Very modest programs, but we got it started. President Hitch put in some money and the legislature gave us some money. That money came as a result of our lobbying in Sacramento, and President Hitch's efforts to try and secure funding for it as well.

Lage: When you say "our lobbying", what was that?

Gardner: Alex Sherriffs was the education advisor to Governor Reagan, and Alex Sherriffs was not a person fondly remembered at Berkeley for his handling of the Free Speech Movement as vice chancellor for student affairs. Fairly or not, I'm not commenting on that; that's just how it was.

Lage: Did you know him at Berkeley?

Gardner: I knew him well at Berkeley. And then he was asked to serve as the education advisor to Governor Reagan, so I went up and said, "This is a program that the governor should be interested in for the following reasons. We're having a hard time getting it started, for all the reasons with which you would be as well acquainted as I. And here are the cost benefits and educational advantages of this program," and I went through it all.

He said, "I think you're right, and I'll try and persuade the governor to do it." I know Hitch did the same thing with the governor personally.

Lage: So Hitch had conversations with Reagan.

Gardner: Yes, Hitch did. His influence would be a great deal greater than mine certainly, and his dealing with the governor directly made all the difference. But Alex Sherriffs was there supporting it, so that helped make it possible.

Lage: I wonder if they saw it as a way to show support for education, or to correct bad press.

Gardner: No, they did not. They saw it as a way of--how do I put it? They thought the university was unduly elitist, and they thought this was one way of enabling the institution to reach out with its intellectual resources and touch more of the state than it did in conventional ways, number one; and number two, that it would foster the further development of educational technology for distance learning that would in the long run result in some reduced unit of costs per instruction hour and increased access to UC.

Lage: So this was all bound up with distance learning?

Gardner: Yes, it was all bound up with it. They had a number of reasons for doing it, and I think they were right.

Lage: So this program for part-time education wasn't just letting people come to campus part-time.

Gardner: No, not at all. We intended to reach out into the workplace, into communities, into schools, and any number of places, as is done, I might add, in much of the United States today with the newer forms of technology that were not available when we tried to get it started in 1971-73. They saw this as kind of a breakthrough in terms of pedagogy and the time and place of instruction. This was being talked about nationally as well at the time, so they weren't surprised to learn that we were probing it, and they wanted to help. At least they funded it. I was real proud of that.

Then when I went to Utah and Hitch resigned the following year, I do not know what happened, but my understanding is that the university subsequent to President Hitch's departure chose not to support this program with the same degree of enthusiasm that President Hitch had, and therefore Governor [Jerry] Brown line-itemed it out. That ended that.

Lage: It was the support by the president's office that made the difference?

Gardner: Yes.

Lage: You would think there would have been a good way of appealing to Governor Brown, with his interest in technology. It seems to sort of fit with some of his feelings about elitism and--

Gardner: I don't think the university did appeal. I don't think the university chose to proceed with this program. I suspect that if they had pushed for it, he would have funded it. But I don't know that for certain.

Lage: So it just fizzled out.

Gardner: I don't know what happened. I wasn't there. But I've heard through the grapevine--I can't speak from firsthand knowledge, however.

Lage: Is there anything more to say about your experience in the statewide office before we move to Utah?

Gardner: I don't think there's a lot more to talk about. The fact is that I was not very often in the office. I was out and around, on the road.

Lage: Was there any kind of a cabinet system there where the vice presidents met?

Gardner: Yes, there was. In those days, Charlie Hitch loved a good cigar, and of course, I couldn't stand them. Some others smoked pipes, and some had cigarettes, and about half of us didn't smoke. So at the cabinet meetings, here's the president surrounded at one end of the table with pipe smoke, cigarette smoke, cigar smoke--all the smokers down there--and the rest of us at the other end of the table. That's how those cabinet meetings were conducted. [laughs]

Lage: That does tell you something about the changing culture.

Gardner: Exactly. Isn't that funny?

Lage: Yes. Were you able to joke about it, one side against the other?

Gardner: Yes, oh, we always joked about it.

Lage: So that's the most memorable part of the cabinet meetings? [laughter]

Gardner: Well, for some reason, that leaped into my mind.

Affirmative Action

Gardner: I remember when the issues of affirmative action were on the table. This was 1972 or something like that.

Lage: Okay, that's timely now.

Gardner: This whole question of the university's policy on affirmative action.

Lage: Was that the first of it coming up? Well, we were having ethnic studies protests and departments forming earlier.

Gardner: Well, we had the Educational Opportunity Program, which was initiated in 1964. I think the University of California was one of the first to kind of get after this matter. But it hadn't matured, and they realized after five to seven years that some of their assumptions were flawed, and all the ethnic study unrest that they had experienced suggested that they hadn't thought through as fully as they might the implications of some of their policies. So this was up for active discussion, and I remember those meetings in cabinet.

One of the vice presidents was trying to describe affirmative action as being not an absolute preference, not a euphemism for quotas, not a masquerade for reverse discrimination, but merely as a tilt, so forth and so on. And then another vice president saying, "But those are just words. The fact is that this is a program of race-based preferences. We can live with it so long as all eligible students can gain admission, but the minute they can't, we can't live with it."

Lage: He meant in the system as a whole?

Gardner: No, campus by campus.

Lage: At that time, were all eligible students being admitted to Berkeley?

Gardner: Well, a much higher proportion than today. And I remember thinking, I know why they want to do this, but it will only work if the purpose is to increase the number of minorities enrolled rather than to substitute their enrollment for other eligible students who would be denied admission under their plan. Then it won't work. And I expressed that thought at the time, and just kind of got brushed off. So did the other one who was expressing concern about it.

Lage: The feeling was generally in favor of pushing in that direction.

Gardner: It was being politically driven. They thought that, politically, they had to do it. So the rationale and the reasoning was all construed to make it appear as though it was a carefully thought-through policy, when in fact it was driven by politics.

Lage: By legislative interests?

- Gardner: All the forces that were at work in the society at the time, as well as on the campuses, in Sacramento and in Washington, D.C.
- Lage: Did the president's office make a policy--
- Gardner: I forget exactly what came out at that point. It was not in my area, and I was busy doing other things. But I do remember those discussions.
- Lage: That's interesting, the early way of looking at it.
- Gardner: Yes. If affirmative action in the university was just recently eliminated for reasons of politics,¹ as some suggest, it should be remembered that it was also enacted for reasons of politics in the first place.
- Lage: Well, maybe life is politics.
- Gardner: Too much of life surely is. We ought not to forget our own history, however.

Ronald Reagan as Governor

- Lage: This was all the Reagan era, while you were back in Berkeley.
- Gardner: Well, it was. [laughs] I remember attending the meetings, and I would attend the closed sessions of the board, and I would watch Reagan at work. Everyone underestimated his political instincts and his ability to communicate. I mean, I tended in my own mind not to underestimate him because I thought he was very effective, but the general view was that he was not.
- Lage: Kind of a bumbler.
- Gardner: Yes. But that was not the case.
- Lage: Did he come to most of the meetings?
- Gardner: Yes, he would come from to time. I remember, there would be a very extended discussion of some problem, and complicated, and difficult, and the Regents would finally resolve it. When the meeting was over, they would walk out. It looked like half the world's press was waiting for the governor to come out of the

¹By vote of the Board of Regents, July 1995.

meeting. He would come out, and he would take this very complex issue and reduce it to one or two sentences which, because of its complexity, obviously distorted the issue. But he reduced it to one or two sentences that appeared to be clear. He knew how to articulate it. He would express his views briefly but clearly and then leave.

Lage: Would his response get the essence of the matter?

Gardner: He would get the essence of it, but wouldn't capture the subtleties of it--which were the object of all the controversy, not the essence. And then others would come out, and the more academically inclined would come out. The president, the vice presidents, a couple of chancellors. I count myself in that group, in that sense, and we would try to explain it with all the nuances and subtleties. The reporters' eyes would glaze over; the press would never get it. And it was the governor that night who had his explanation on television.

Lage: Of course.

Gardner: He was brilliant at this. And I'll never forget, at the Regents' meeting when the Angela Davis matter was up for discussion--this went on for some time, it was a huge debate, with the governor leading the charge not to appoint her, reappoint her, whatever it was, and Regent Fred Dutton taking the lead in arguing for the contrary view.

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Gardner: I forget what the vote was, but it was a split vote with the majority voting not to appoint or not to renew her appointment. The vote was taken, then Governor Reagan said, "Well, I want to commend the regents for the courage of their decision," because there were a lot of protesters outside. "The people of California have you in their debt for acting courageously and properly in this matter, and not being intimidated," and so forth.

Fred Dutton then--and they're sitting right across the table from one another--he then said something to the effect that, "Well, not everybody will commend the Regents for this decision. There are large numbers of people out there who will condemn the board for this decision," and on and on. And when he finished, Governor Reagan looked over at him with a big smile and said, "Well, that's probably right, Fred, but there are not that many of you." [laughter] Fred Dutton said, "Well, that's probably right." We all laughed.

Lage: Was the atmosphere charged?

Gardner: They all laughed--yes, very charged, but that kind of relieved it. You know, Reagan did have an ability to do that, to come up with a quip and put everybody at ease. Even of himself, he would kind of be self-deprecating. Other times he was not, but he could be that way.

Then another time, I remember when the Regents had acted to eliminate the School of Criminology at Berkeley.

Lage: That was a very controversial decision.

Gardner: Very controversial. And Bob Moretti was the speaker of the assembly [1971 to June 1974], and a very good friend of the university's. I forget which year this was.

Lage: We can find it. [The year appears to be 1973.]

Gardner: Yes. Hitch was president. So at the meeting, when the budget for the ensuing year had been acted on by the legislature and the president was reporting it to the board, we had Governor Reagan sitting on President Hitch's right and Bob Moretti sitting across the table. As speaker of the assembly, he was a regent, as was the governor. So they were both there. And you know how President Hitch was, he just very quietly went through the budget and indicated that the budget was much better than the governor had proposed, "Thanks to Assemblyman Moretti, Regent Moretti, who's here today, we're grateful, Regent Moretti, for your help in improving the budget recommended by the governor." Reagan's sitting there with a frown on his face. Didn't faze Hitch; he went on and described this.

Then they got to the budget language. Not the dollars, but the budget language. Hitch said, "Now, there is a rider that's been attached to the budget bill which conditions this appropriation on the Regents voting to reestablish the School of Criminology at Berkeley and to reverse its earlier decision to terminate." Moretti had supported the inclusion of this language.

Lage: This increased budget?

Gardner: No, the entire budget, as I recall, was conditioned on the university's willingness to keep the School of Criminology and not abandon it, because the friends of the school had been working the legislature and succeeded in getting this language in there.

And while Hitch was talking about Moretti's contributions to the budget, Reagan's frowning, Moretti's beaming. And then he got to the criminology issue and mentioned Moretti's role in that. Hitch then said very quietly, not confrontively, but just matter-of-factly, "The rider, of course, is unconstitutional. It's not within the purview of the legislature but within the purview of the Regents to make this decision. The Regents have made the decision, and we have no intention of recommending the reestablishment of the School of Criminology at Berkeley."

Then Moretti is frowning, and the governor is beaming. [laughs] And I thought to myself, That's how this university should work. Even-handed, nonpartisan, sticking up for itself. I thought Hitch did a brilliant job. I've always remembered that.

Lage: There's another instance where he refused to play politics.

Gardner: Yes. I had a lot of respect for him.

I just mention these as an example of the kind of training, if you'll put it that way, or the kind of experience that I was getting as a very young person.

Lage: And watching it all.

Gardner: And watching it all. Because I didn't have major responsibilities really; I was watching it all.

Lage: But at the same time, you were also learning about the university and politics and how that all works.

Gardner: Oh, yes, I was learning how it worked.

Lage: That's interesting. By the way, how did you like living in Berkeley again?

Gardner: Well, we lived in Lafayette.

Berkeley was getting more and more crowded at that point, of course. I did not welcome some of the changes that had occurred at Berkeley as a result of the Free Speech Movement and the antiwar demonstrations. I thought it was detracting of the Berkeley campus's beauty, of its standing, and it hurt Berkeley in the eyes of the people of the state. I thought the university could not have it both ways: it could not on the one hand command a level of autonomy and independence that had been customary without undertaking to proceed with its teaching and scholarly duties in an impartial way, as against in a politicized or

politically correct fashion. I didn't think the university could have it both ways, and I still don't.

The social contract with the people of the state is that we will pursue our teaching and scholarly work with a scrupulous impartiality and independence and neutrality in exchange for the freedom and independence that the state gave us in the state constitution. If we violate the former, they're not going to give us the latter. I still believe that. And we paid a real price for it in the 1960s and the early 1970s.

So when we came back from Santa Barbara, the university was paying the price.

Lage: The statewide university, or the Berkeley campus?

Gardner: Everybody was paying the price. We had lost Kerr, Reagan had hit us hard on the budget, the student-faculty ratios went from fourteen to seventeen to one, faculty and staff salaries were no longer competitive. The people of the state were sending a message, and that was distressing. I didn't like what had happened.

Lage: Of course, it wasn't all within the university's control, it would appear, from the way you described what happened in Santa Barbara.

Gardner: No, much of it was not, but in terms of the public utterances of some members of the faculty, the way some demonstrations had been handled, the apparent willingness to accommodate forms of behavior that were thought not only to be well out of bounds but also to be clearly unlawful, the justification for it that was given on occasion by some people, all hurt, with the media elaborating on it in their usual fashion.

So I was worried quite a bit about that, and I would go up to Sacramento and get an earful every time I would go up. It was a problem, like it or not.

VI PRESIDENT, UNIVERSITY OF UTAH, 1973-1983

Family Matters

Lage: We're going to get you to Utah, but you had mentioned you wanted to talk a little bit more about your family and the job. You said this came to the fore in part when you had the decision to go to Utah.

Gardner: Yes, it did.

Lage: Did Utah seem like maybe a bit of quietude after what you had been through?

Gardner: Well, that wasn't why I would be interested in it, but it was a presidency of a very fine institution, and I wondered if I was ready for it. At age thirty-nine, I wasn't sure I was.

When I was invited to go to the University of Utah, I remember talking with President Hitch about it. I said, "You know, I don't know about this. The University of Utah is not the University of California. It's always easy to go from a University of California to a University of Utah, but it's not very easy to get back from a University of Utah to a University of California." That's, in general, the truth of it, so I was a little concerned about that. We talked, and of course, he really didn't want to lose me at this point because we were moving forward with the extended university. We were making some progress, albeit modest.

He said, "Well, Dave, one in the hand is worth two in the bush. The way in which presidents are chosen is a great mystery, and you can't count on anything. The University of Utah has a good, solid reputation. It's not the University of California, but it's a good second-tier institution, and it's respected, and you'll learn a lot there."

Lage: And you took his advice.

Gardner: And I took his advice. With Hitch's encouragement and Kerr's encouragement and some others, I decided to go ahead and take it. And it was a good decision.

Lage: Was coming back to the University of California something you had in mind as a possible goal for yourself?

Gardner: Yes, because California was my home, and I always lived here, and my family was here. My wife was from here, my parents were here and her parents were here. This was not going home; home was California. It was going to Utah. Although I had a lot of relatives and had a lot of roots there, I had never lived there except as a student, so it was a new experience for us.

Lage: How did the family feel about the move? What stages were your children at?

Gardner: We had four daughters ages four to twelve. Libby was given a very nice lunch by Mrs. Hitch. Mrs. Hitch said something about, "You need to find a way of balancing your personal life with your professional life. You need to find a way of doing that." Clark Kerr told me about the time I was going back, "Don't do what I did. I went for six weeks once going out every night. Don't do that." So everybody was encouraging us to take account of that with our young family, and I was appreciative of that.

Lage: Somehow, that's surprising to me, that it would be brought up, especially by other men.

Gardner: Oh, other men, that's true. Kerr brought it up.

Lage: Is it not unusual? Were these things that men talked about?

Gardner: No, it is unusual, but they did. And Nancy Hitch did with Libby. So we talked about it and talked about it. We said, "You know, they're really right. This job is coming ten years sooner than it might ordinarily."

Lage: Right, your family was younger than the usual for a university president.

Gardner: Yes, I was young, and the family was therefore young, and so this was not, in terms of family, the most propitious time, unless we could find a way of balancing our personal and professional lives. So we adopted a rule in going to Utah that we would not go out more than two nights in a row, and we would accept no work-related obligations on Sunday, not just for church-related

reasons, but for family reasons. We didn't announce it formally, but we made our rule known and that this was how we were going to do it.

Well, within two weeks of arriving at Utah, we had an invitation from what was then one of the university's largest donors and his wife to join them for a black-tie cocktail party and dinner at their home in Salt Lake Sunday night. [laughter] I thought, Oh, my goodness. I took the invitation home, and I showed it to Libby. She was washing the dishes. I showed it to her, and I said, "Gee, what should we do about this?"

She looked at it and she said, "Well, we either have a rule or we don't." Went back and started washing dishes. She was just that way; she was of Swiss descent, very matter-of-fact. I said, "Well, I guess that's right." So I called this lady the next day. I didn't give her some song and dance. I said, "Look, this is our situation, and we've adopted this rule. If we break it for you, we can't hold it for anyone else. I hope you'll understand, and if you can give us a raincheck, we'd be very appreciative. We look forward to getting to know you, blah blah blah." I could not tell from her response how she was responding.

The following Wednesday, she came by to see me, unannounced. Of course, I went out to see her. She said, "I want to tell you how much I respected your decision not to come to our party, for the reasons that you gave." And then she said, "If my husband," who was a famous person, and I won't tell you who it is, "if my husband had done this, maybe the children would have turned out." That was all the reinforcement we needed.

Lage: Isn't that wonderful?

Gardner: Yes, and that's what we did. We never broke the rule.

Lage: And you kept that when you came back to California.

Gardner: We kept it throughout, unless we were traveling, but other than that, we never deviated from it. That was one of the smartest things we ever did.

Lage: We've talked about being a Mormon in California. Now, being one in Utah is a different matter.

Gardner: Yes. Well, these are different cultures.

Lage: Did it help in Utah? Was it more looked at as the norm?

Gardner: Well, for example, we held to this rule in Utah, and we held to it in California when we came back as well. We can get to that later, of course. But in Utah, it was understood. Everyone understood it.

Lage: Utah is more family-oriented?

Gardner: Very much more family-oriented. Everybody understood why we were doing this, and we were in fact commended for doing it. I've had any number of women who were aware of our policy while we were living in Utah come up and say, "We heard about this, and I've talked with my husband, and this is what we're now doing, also." [laughter]

Lage: Not just the important donor.

Gardner: That's right. So this was never a problem for us. I'm sure that there were certain opportunities that I could have taken to advance my professional career and so forth if I wanted to break this policy, but I never found it to be necessary to do so. We're delighted that we did that. It made a huge difference.

Lage: What kinds of things did you do with your growing family on the nights you were home, and the weekends?

Gardner: Oh, we would spend time together. We would maybe play games, or the girls would tell us what they were doing in school, or we would go together as a family out to dinner. We would maybe go to the theater on campus, or we would take them to a ball game. We would do something.

Lage: Makes a difference.

Gardner: Makes a huge difference. So ours is a really close family, and the children never felt neglected. I don't know how Libby did it, I really don't, because she would be home when the kids came home from school in spite of everything she had to do. And then when I came home, if we were going out, she would be ready. I don't know how she did it, but she did it. I credit her with 90 percent of the reasons why this worked.

Lage: And she reminded you of the rule, too.

Gardner: Yes, she did.

Lage: Was it just sort of understood that the president's wife in effect had a job also?

Gardner: Yes. That is correct.

Lage: Is the president's wife looked at when you're looked at for the job?

Gardner: In Utah, she was.

"A Ten-Year Honeymoon" in Utah

Lage: How did the hiring occur there?

Gardner: They had a search committee with which I met. Libby was also there. They liked the meeting. I was a vice president of the University of California and so forth. I, of course, did have a number of relatives in Utah, many of whom were quite prominent people there, but most of them were farmers, ranchers. The committee knew that, and they knew I had Utah roots.

Lage: And you went to college there.

Gardner: And I went to college there, and so forth. So I was not a stranger who didn't understand the state. I did understand the state, by and large, and I understood its culture, by and large, although I had never lived there in that sense of the term. And they thought this was a happy congruence of circumstances, both academic, administrative, and personal. They offered the position, and we accepted it.

We moved back, and we had a wonderful ten years. It was a ten-year honeymoon in Utah. Truly. A ten-year honeymoon in Utah. The university was growing, but in a fairly steady and modest way. The state's economy, fortunately, was very strong while we were there.

Lage: You've had good luck with that.

Gardner: Yes, I have. I wasn't even aware of it, but I hit it just right there. We built, I think, a third of the campus the ten years I was there.

Lage: And there's just one campus.

Gardner: One campus, and that was very nice indeed. There was a system of higher education, but administratively I only had one campus, and I reported directly to the Board of Regents. I didn't report to anyone else.

Lage: Did the Board of Regents oversee any of the other parts of the higher education system?

Gardner: Yes, they oversaw all of the public colleges and universities. They also had a commissioner who would do some of the coordinating and staff work for the board but was not an executive officer to whom I reported. I reported directly to the Board of Regents. This was a small state, 1.2 million people. The university was in the state capital, in the city headquartering the Mormon Church, the corporate headquarters were in Salt Lake. For most of the Intermountain West, Salt Lake was the business, financial, and economic center. So as president of the University of Utah, you're immediately into the power structure of the state, and it's small enough that if I had a major problem, I could call four or five people and take care of it.

Lage: Which four or five people would you call?

Gardner: Oh, well, [laughs] we would just take care of it, depending on the issue.

Lage: It sounds very different from California.

Gardner: It's very different.

Lage: I really would like to look at your tenure in Utah carefully. It's ten years; it's a good contrast.

Gardner: Yes, that's true. Let me give you an example of what I mean.

It is generally thought that because the Mormon Church is so dominant a force in Utah, that the University of Utah would be subject to untoward interference and influence in its internal affairs. Not true. The Mormon Church has its own university, Brigham Young University, and the church is keenly aware of its influence, and it's keenly aware that the University of Utah is a public, secular university. So rather than just taking one step back in terms of exerting influence, the church takes two steps back so nobody could accuse them of even indirect pressure, and in taking two steps back, they set the mode for constituent interaction with the university in general.

So I had the pleasure of administering probably the politically least implicated public university in the United States, contrary to what everybody would suppose. I dealt with more efforts to interfere politically in the internal affairs of the University of California every month than I had in the whole ten years at the University of Utah.

Lage: That's a great sound bite.

Gardner: It's true. That's what happened.

Getting Established, Building Relationships and Budgets

Gardner: Then we had a very supportive board. I had a first-rate team; I drew some of them from California. We were recruiting able people, we had the money, we were getting private support. We had a great time.

Lage: Were they looking for you for a certain kind of person when they hired you, somebody with a mission, a charge?

Gardner: Yes. They were having trouble with the legislature and a lot of other things, with alumni donors and so forth. They wanted someone who could work those arenas successfully.

Lage: With the budget, then, with getting the proper--

Gardner: Yes, getting the resources. They were having a lot of trouble getting the resources. That's essentially what they thought I might help them do, and I did.

Lage: You did have that background of university relations.

Gardner: Yes, I did, so it was easy for me. I spent the first six months meeting one-on-one for breakfast or for lunch with every member of the state legislature.

Lage: How many members is that?

Gardner: Oh, I forget. Eighty-five or something.

Lage: It's probably not as complex an institution as California's.

Gardner: No, it was not nearly. No, you could get your arms around it there. So whenever I had occasion to see legislators, I knew most of them on a first-name basis. I made the gesture to meet them. These are farmers from southern Utah, ranchers in northern Utah, teachers from West Valley--you know, ordinary people, citizen legislators.

Lage: What kinds of things did you bring to that breakfast table?

Gardner: I said, "What is your perception of the university, what are your views of it, what are your criticisms of it, what do you think its strengths are? How can we do a better job of serving the people of Utah?"

Lage: You were getting information.

Gardner: Right. I said, "You know, we're only going to be as well supported as the people think we're deserving of being supported. So what can we do to correct either misperceptions or correct our own behavior?"

Lage: What did you find, as far as attitudes?

Gardner: A lot of it was misperception, lack of communication, lack of awareness and knowledge, basically--what you would usually expect to find. Basic respect for the institution, but a lot of concerns based upon misinformation.

Lage: Had there been unrest in the Utah student body?

Gardner: Yes, but hardly anything by UC standards.

Lage: Had that affected the legislature?

Gardner: A little. It shouldn't have, but because the state is so conservative, it did. I was able to dispel that in a hurry. I said, "You don't know what student unrest is." I got to know many of them personally, and know them well, and I knew the governor well, moved in the same circles.

Lage: Did they have an understanding about being hands-off? I mean, here you are, meeting with the legislature at the same time that we're saying there was no political interference.

Gardner: They weren't interfering.

Lage: How does this fit?

Gardner: Well, they approve our budget, they enact laws that influence us, and therefore, they need to have a confident sense of the resources that we need, not a suspicious sense. And their legislation should be intended to serve the people of the state, not be vindictive or otherwise unhelpful. So my job was to try and get them straightened out on all that. But they did not interfere with our responsibilities for administering the university or our managing it internally.

Lage: Were there leaders in the legislature that were particularly helpful?

Gardner: Oh, sure, very helpful.

I remember when we had to expand the medical center, because the state was growing, and it was a facility that was not going to be keeping up with the clinical needs and research opportunities that were in the offing. We needed to train more doctors. We needed to have a more viable hospital in terms of its critical mass and so forth, so we had to expand it. (This was the only medical school in most of the Rocky Mountains, i.e., Montana, Idaho, Wyoming, Nevada, and Utah.) This was three years after I arrived. It required a \$47 million bond issue from the state, which was a lot of money in Utah in 1976. In turn, we had to raise \$10 million from private sources. So we had a real challenge.

I'll just indicate to you how it worked. I was down at the legislature the last night of the session when the house had passed the bond measure and it was being debated by the senate. Now, this was a lot of money, and if you use \$47 million for the University of Utah, you don't have \$47 million for something else. The University of Utah is in Salt Lake, and the leadership of the legislature is controlled by rural Utah, because the rural legislators serve longer in their positions than their urban counterparts, and the seniority system dominates. I had worked a long time to try and get acquainted with all of them and so forth. But just personal acquaintance wasn't enough at that point.

So the key senator from Salt Lake County was Senator Hughes Brockbank, and he came off of the senate floor and over to the dean of the medical school and the vice president of health sciences, John Dixon, and myself. Hughes was an active supporter of the university, and he and his wife and Libby and I had become friends during our time in Utah. We were waiting in the corridor. People were coming out to see us, but we couldn't go on the floor. Hughes said, "Well, we're three votes short. Which do you want: to expand the hospital, or expand the medical school? I can't get both of them, but I can get one or the other."

I said, "Well, Senator, it's your job to get both of them. There's no use expanding the hospital without expanding the medical school, and there's no use expanding the medical school without expanding the hospital. This is a package deal. If you can't get the votes, then vote it down and you and other senators

will have to explain to the public why you did so. Hughes, you need to get the votes for both. How can we help?"

Lage: How did he take to that?

Gardner: He said, "Okay," and he did, and we got it, barely.

Lage: How interesting. Utah is a state where bond issues are passed in the legislature?

Gardner: Yes.

Lage: In California, we have the people vote.

Gardner: That is right. It was a lot easier there than here. That's just one example. So, even though you have those relations, at a certain point, you have to make hard decisions. I remember when I said, "It's either all or nothing," and the senator went back in; my vice president for health sciences was white as a ghost and said, "Jeez, we want something out of this." I said, "No, we don't want just something. We want this project, intact."

Lage: Was this a political sense that you had? You must have thought it was possible.

Gardner: Yes, I did. I believed that, in the end, the senators would prefer to be remembered for having assured the continuance of quality health care for the people of Utah than for having blocked it.

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Gardner: In addition to the bond issue, we had to raise \$10 million from private sources. This was in the mid-1970s, and \$10 million was an unprecedented amount of private money to raise for a public institution in Utah in those days. George Eccles, who was a prominent banker in Salt Lake City and the University of Utah's treasurer on a voluntary basis, agreed to chair the fund drive. With his help we raised \$13 million.

One incident I think is worth noting in terms of how funds are raised. Once George Eccles agreed to chair the drive, then it was my task to persuade him to make the lead gift. I hadn't linked those two when asking him to lead the drive. And he was a tough guy. He was more used to making money than to giving it away. So I went down to visit with him and pointed out that if he gave, say, \$250,000, we would fall well short of our goal because everybody else would key their gift off of his; and as

the principal banker in Salt Lake, he knew everybody's net worth, and so forth.

So I persuaded him to give \$1 million (no small task I might add), and once he agreed to give the \$1 million, he said, "Okay. Now, the second million has to come from the LDS church." I said, "That's right. If we can get the LDS church to give, and you're already giving--"

Lage: Politically, did this have to come from the LDS church?

Gardner: Yes. It was the way of assuring a proper balance and commitment from diverse elements of the community. So that's how we arranged it.

So we set up the meeting, and the meeting included the first presidency of the church, that is, the three leading officials of the Mormon church. It was the president of the church, who was then Spencer Kimball, and his two counselors, Presidents Tanner and Romney.

We went over to their offices. We had done a little advance work with President Tanner. He knew what was coming. George Eccles; the dean of the medical school, John Dixon; Arch Madsen, who headed Bonneville International, was helping us with the larger fund drive; and I attended. Arch Madsen had arranged the meeting and started it out by saying, "I appreciate your meeting with us," and so forth. Then he turned it over to me, and I asked Dr. John Dixon to describe the project. He did a super job of it.

I then described why the LDS church should have an interest in it: a high proportion of students enrolled in the medical school were LDS; the population being served in the Intermountain West was mostly LDS; it was the only medical school in the whole Intermountain West; except for Colorado, it was the only medical school that was serving that widely dispersed population in Idaho, Wyoming, Utah, and Nevada, where large numbers of Mormon lived. Thus, the LDS church had a legitimate interest in the well-being and vitality of the university's medical center. So I made our case.

I then turned to George Eccles, whose job was to ask them for the \$1 million. He said, "Well, now President Kimball, I know this is a great deal of money, but we're asking the LDS church for \$1 million. I've told President Gardner that if the LDS church is willing to give \$1 million, I will, too." Even though he had already committed \$1 million! So I'm kicking him under the table. What? I thought to myself. Anyway, that's the

way he made the pitch. That was the first thing I thought was interesting. And President Kimball, who hadn't been accustomed to being asked for \$1 million in those days--

Lage: This was not the usual thing?

Gardner: No, that was a lot of money. The church didn't make gifts of \$1 million to anything, although they're very generous, but in smaller amounts for a lot of organizations. He didn't know what to say, so he turned to President Tanner, who was his business advisor, and said, "Well, what do you think, President Tanner?" Of course, President Tanner knew all about this project ahead of time. Arch Madsen had briefed him ahead of the meeting.

Lage: He had been prepared.

Gardner: Oh, he had been prepared. He said, Well, President Kimball, I think that unless we're going to say yes, we should pray about it." [laughter]

Lage: What a wonderful answer! Did everyone keep a straight face?

Gardner: Oh, no. Everyone laughed, they all laughed. I thought President Romney was going to fall off his chair laughing. It was really very funny. Anyway, that's how money is raised. We got it. President Kimball got the message.

Lage: Would you have been in a harder position if you hadn't been a Mormon and been president of the university?

Gardner: Yes. It would not have been nearly as easy. They all knew me, so it was comfortable for them, and so forth.

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Gardner: Then I remember meeting with the Board of Regents there on the occasion we were seeking money for a law school library which we badly needed. It's the only public law school in the state, and so we badly needed it. Long overdue. So we proposed to build a proper library for the law school, not some gesture; a proper proposal. And I remember the chairman of the Board of Regents, an attorney himself, complaining about the cost. I said, "Well, you know, I don't control the costs. That's what it's going to cost." He then made a motion to reduce it by a third or something like this, and the motion was hotly debated. They then turned to me and said, "What's your view?"

I said, "Well, look. We should not build half a library. If we're going to build a library, we should do a proper job of

it. So if you can't see your way clear to doing it properly, then I'm going to pull it off the table. We shouldn't build something that does half the job." Then they voted for it, full funding. You've got to do that sometimes.

One other time, we had a drop of 1,800 students, which was a lot, maybe 5 percent of the student body at that time, from one year to the next, a completely unexpected loss of students. The reason was the economy of the state in the mid-seventies was booming, so a lot of our students are lower-middle class, upwardly mobile, large families, they didn't have the money. So they would drop out of school and work on construction and highways and make some money, and come back the following year. We knew this was temporary and that it was the economics that was driving it. And you simply can't turn off the university's budget and turn it on like that because of temporary circumstances.

In any event, there were some regents more devoted to some of the smaller colleges of the state than to the University of Utah who wanted to bleed money off of the University of Utah for the purpose of funding them. Well, this was their opportunity. A motion was made to reduce the number of authorized faculty members at the University of Utah by a number equal to the student-faculty ratio divided into 1,800. I forget what it was, but it was a lot, 90-100 faculty positions would have been eliminated if the motion had passed. They had this debate back and forth, and a motion was made, and it was seconded. I hadn't said a word, I was so mad. I didn't say a word.

Finally the chairman of the board said, "Well, we haven't heard from President Gardner. President Gardner, what impact will this motion, if enacted, have on you at the University of Utah?"

I said, "It won't have any impact on me at all. But if you would like for me to describe the impact it will have on my successor, I'll be happy to share it." [laughter]

Lage: Oh, that's wonderful!

Gardner: I was dead serious. I was so mad.

Lage: Did they get it?

Gardner: They got it immediately, and someone said, "I move to table this item," which takes precedent procedurally, and that's what happened.

Lage: [laughs] I like that. Now, were the presidents of these smaller colleges there at the table? Was the meeting a joint--

Gardner: Yes. Oh, sure, open session and everything else.

Lage: Did they consider the business of the various colleges at the same meeting?

Gardner: Oh, yes, not just ours. Oh, yes.

Lage: So this puts you almost in competition with them.

Gardner: Absolutely in competition.

Lage: Would this be like Southern Utah State?

Gardner: Yes, and the three community colleges, and the state colleges. Yes, sure.

Lage: That's a very different setup.

Gardner: Yes, a very different setup. There's a system of higher education, but it's not under one executive, even though it's under one board. It's a coordinated system but not a single university, as the University of California is.

Lage: We would have to think of our whole system, all the state colleges, all the community colleges. But you were all at one table. That would be quite a scene here.

Gardner: Yes. It would be hopeless here. But in Utah it wasn't hopeless; there were only nine of them, so it was okay.

Lage: Were you expected to coordinate with these other presidents or chancellors?

Gardner: I did, sure. We tried to work out our differences, because we didn't want the Regents fighting over us. By and large, we did.

There are two other quick stories just to give you a sense of what the job was like. My first legislative hearing, there was a state senator who was not unfriendly to the University of Utah but was more friendly toward other institutions, and who saw the overhead money earned by the University of Utah on its federal contracts and grants as a free source of funds to be allocated to other colleges in the state.

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Gardner: At that time, the university retained 14 percent of the overhead earned on federal contracts and grants. Well, that's a lot of money. So at my first hearings with the state legislature and the committee that heard our budget, there was a motion put on the floor by a senator who wanted to reduce the 14 percent that we retained to zero, in order to pick up that money and move it to other colleges in the state. In order to do this, he had to belittle our research effort in order to justify the diversion of these funds from the university to others.

We managed to delay the vote until the next day. I thought, How am I going to deal with this? Well, Utah at that point was developing a very sophisticated and very advanced artificial arm which operated on electrical impulses using the body's neurological system.

Lage: In their medical school?

Gardner: In the university's Institute for Biomedical Research. It was a fantastic arm. They had a very strong program there in artificial organs and so forth. In any event, I called the director of the institute, Dr. Pim Kolff, who developed the dialysis machine in the 1940s. He's a very famous doctor, so everybody knew who he was. I said, "Pim, you've got to come with me to a legislative hearing tomorrow. What would a person be wearing on the stump of his arm if he lost it 100 years ago?"

"Oh, I've got one of those," he said; "it's a leather pouch with a hook on the end with a small fork and spoon attached to the pouch." I said, "Okay, you bring that. You also bring the artificial arm that you're working on." So we met at the state hospital.

In the legislative committee meeting, I said, "Now, the first item of business this morning before your committee is the matter of retained overhead at the University of Utah, which we use to seed our research opportunities and to engender more research coming to the state. This is an investment. It's not spare money that could be sent some other place without an adverse effect on our research capability. Now, those of you in agriculture know what research means and so forth. It's as important in other areas of life as well. For example, if you'd lost your arm in a haying accident in 1890, this is what you'd have worn over the stump." I passed the leather pouch around, and everybody was intrigued with this.

"If you'd lost it today in a haying accident, this is what they'd put on what's left of your arm, and I've asked Dr. Kolff to show you how it works." He did a brilliant job of doing so.

Then I said, "The arm Dr. Kolff just showed you is the result of research over many years in materials science, neurology, physiology, anatomy, engineering--" I went right down the line. "That's what research is. The contrast of what you would get today with what you would have gotten 100 years ago is a result of research. That's what we're talking about and what you are unintentionally thinking of damaging."

So the committee, instead of reducing our share of overhead to zero, increased it from 14 to 25 percent. [laughter]

Lage: Oh, my goodness!

Gardner: I mention this because this is one example out of many that make the difference between these institutions getting resources or not. There have to be ways of communicating with people about what you're really doing, as against thinking about it in more abstract ways.

Lage: And knowing your audience, it sounds like.

Gardner: You have to know your audience and who you're dealing with.

Lage: What was your audience?

Gardner: These were all legislators.

Lage: Not the regents?

Gardner: No, these are state legislators. This was a legislative committee hearing our budget. I didn't have to persuade the regents; they were fine.

Lage: So this was the legislative committee, and you had a good sense of who they were.

Gardner: Yes. I knew them all and what they did to make a living.

One final thing in connection with those matters at Utah, and then when we come back again, I can talk to you a little more about the university and some of the programs we developed, things I'm real proud of there. But there's one other thing.

There were really no admission standards at the University of Utah for all practical purposes. If you graduated from high school and were warm, you were admitted. Well, we were expecting huge enrollment growths over time because of the state's high birth rate and fueled in part by our open admissions policy, and we felt that this was a propitious opportunity to shrink the

prospective pool of students, whom the state couldn't finance at the university anyway, to those who were more likely to succeed than to fail once they enrolled at the university, which is a service to them as well as the university, and at less cost to the state.

Lage: More people rolled out than in other places?

Gardner: Yes. A third of them rolled out the door the first year, and it was a big waste and traumatic for them. They should have gone to a community college and then come to us, or whatever. California was far more sophisticated and advanced in structuring its higher education system than Utah was at the time I was there.

In any event, Utah is a very egalitarian state, not elitist, very egalitarian, very democratic. These are rural people, or at least rural in their values, by and large. So how do we do that? Well, I worked on the Academic Senate very quietly to devise a set of admission standards in terms of courses required--not grade points required, but courses required--that we thought we could defend and put into place in the form of new admission policies.

Now, in terms of governance, you had the Board of Regents which oversaw the whole system, but at each campus you had what was called an institutional council, which was a strange thing, but it would take account of things that were strictly local and give some public oversight to those as did the Regents. I had two boards, in a way. And it worked pretty well, odd as it was.

In any event, the question was: who had authority to change admission standards or to put them in at the University of Utah? I carefully read the policies of the state and the policies of the Regents, and they were sufficiently ambiguous on that point that they lent themselves to interpretation. So I concluded that the institutional council could reasonably judge that it had the authority to act on admission.

So on a Monday, I, deliberately and out of the blue, put it to the institutional council as a matter to be acted on. It came from the Academic Senate, had full support of the faculty--

Lage: Had been thought out carefully.

Gardner: Oh, yes, very carefully thought out. The faculty was supportive, but we hadn't given it any public notice, as it were. The institutional council, of course, had all been briefed, and they approved it in open session.

So this was widely reported in the press on Monday night and Tuesday.

Lage: Favorably?

Gardner: Very favorably. And Tuesday morning, the editorials were all laudatory: "It's about time the university did something. This will help the public schools of the state, it will give the teachers a standard to measure their progress and their students' progress by, it gives the counselors leverage to encourage these kids to take the harder courses." The media support was uniformly supportive. So too was the larger K-12 education community, although the superintendents of the larger school districts thought they should have been consulted. Actually, they should have been, but if we had done so, we would never have succeeded in getting the new policy in place. Too many politics, too many moving parts.

But the Regents, I knew, would not be happy, because they had to take account of all nine institutions, not just the University of Utah. Here we were differentiating ourselves, as it were, from the other eight. But the Regents' meeting was Wednesday, so I knew that we could and would get favorable publicity on Monday night and Tuesday.

So when we went to the Regents' meeting on Wednesday, I really got chewed out. Ted Bell (later U.S. Secretary of Education) was then commissioner for higher education for the state of Utah, and I said, "Ted, just remain silent. Don't do anything, please." "All right," he said, "I'm not getting into this."

Lage: He didn't want to--

Gardner: No, "I'm not getting into this," he said, although I believed he was basically supportive of this move. I had a real tough time at that meeting, and some of the other presidents were not happy, even though they suspected this was coming, because they thought it would give the University of Utah a certain standing and reputation that they didn't have.

Lage: They didn't believe in a tiered system.

Gardner: No, they didn't. It got down to the point where there was a motion that was being considered but hadn't yet been put to a vote. They said, "Well, maybe we can just put this matter off." I said, "No, no. I've got a letter ready to go tomorrow to every superintendent of schools in the state of Utah spelling out this new admissions policy. Unless you direct me explicitly by vote

of the board not to do so, it's going tomorrow morning." And they didn't want to take it on, because the people of the state had responded so favorably, including the teachers.

Lage: Interesting.

Gardner: So that's what we did.

Lage: Was some of the press prepared by your staff?

Gardner: Oh, yes, oh, sure, we did all that. We laid all the groundwork.

Lage: So the immediate favorable press response was partly prepared.

Gardner: That is right. That is correct. It usually is.

Faculty Tenure and Salaries

Gardner: When I went to the University of Utah in 1973, one of my first meetings was with Governor Calvin Rampton, a very popular governor. He was then in his third term, extremely popular, 75 percent affirmative rating, something like that. And I made a call on him, a courtesy call. We had never met, but he was a very bright, capable well-liked governor, and very friendly to the university, and a graduate of the university, an alumnus.

But he was not friendly to tenure. For several years, there had been a running battle between the university and the other colleges and universities of the state and the legislature on the issue of tenure. Well, it was coming to a head just as I arrived, naturally. Governor Rampton at least had the courtesy to tell me that he was not friendly to tenure and that it was his intention at the next session of the legislature (which was about three months off at that point) to propose its abolition. And he wanted to make sure that I knew that.

I said, "Will your proposal be warmly received or will it be rejected?" "No question it will go through," he said, "without any problem at all. So I wanted to make sure you knew that, and if you have any comments I'd welcome hearing them now."

I said, "I can answer you one of two ways, or both, if you'd like. One way is to recall the history of tenure, how it arose in the Western university, why it arose, the purpose it serves. In essence, the idea is to protect ideas, not to protect people, but you can only protect ideas by protecting people so they're

free to express their findings, to write, to share the benefit of their research with their students and others without regard to whether members of the governing board or legislators are happy with it. With tenure, we're in the business of protecting ideas, but you have to protect individuals to do that."

Well, he didn't want to hear that speech. So I said, "I guess I'll not pursue that particular argument. Let me give you a more practical response, even though I happen to agree completely with the historical basis for tenure. But let me give you instead a more practical response. The fact of the matter is, you're not going to take a group of employees, professional people in this instance, and strip them of rights they have enjoyed for over 100 years, cast a cloud over their sense of freedom to express their scholarly views without fear of losing their jobs and jeopardizing their freedom to teach and replace those protections with nothing at all. The American university, as with its antecedents in Europe, is all too familiar with what happens when scholars cannot seek or teach or publish the truth as they discern it within the norms and customs of their profession."

I also pointed out that tenure, coupled with the work of the Academic Senate, allowed the faculty to participate in the management of the institution which was essential, in my view, and is characteristic of the best universities everywhere. I elaborated on the protection they enjoyed because of tenure with respect to their teaching and research within the scope of their scholarly work and so forth, and I distinguished this from free speech, which is quite another matter.

I noted that if you take away tenure, you take away more than just tenure. You also take away the culture within which the faculty functions in the better institutions. But if you choose not to have tenure, then what do you prefer? Civil service status?, or unionization?, because you're going to get one or the other. You're not going to just leave them out there in a vacuum. At least with tenure, unlike with the civil service or with unionization, judgments can be made and acted upon regarding their promise, their performance, their capability, whether they should have tenure or not. And I went through and described our personnel system and so forth. "So at least quality can be protected with tenure, along with individuals."

"Well," he said, "you know, I hadn't thought about these points." After we discussed them further, and at some length, he said, "I think I'll drop the bill." And he did. So I wanted to mention to you that--

Lage: That was another example of your being able to express your ideas on your feet.

Gardner: That's right, and it's also another example of, as I mentioned, especially in connection with the University of California, that much of the success of any president is a result of what doesn't happen, not what does happen.

Lage: And is behind the scenes.

Gardner: Yes, nobody even knew about this.

Lage: How would you have functioned if that bill had been put forth?

Gardner: I would have opposed it, of course, aggressively, and I would have made the case as best I could.

Lage: To the legislature?

Gardner: To the legislature and to the press and everybody else; but it would have put me at odds with the governor and the leadership of the legislature, so there would have been a price to pay; but I'd have done it. But my guess is it would have passed anyway, and then you would have to live with it, and we would have had unionization. That's what we would have had. You could count on it.

Lage: Were there other moves in other parts of the country or other--

Gardner: Yes, all over, but I don't know--

Lage: It wasn't just a particular Utah movement?

Gardner: Tenure was under attack at that point in general, but generally, I think, not a lot happened. See, the trouble is that for institutions that do not have shared governance, unionization is a common option. For example, in the California State University System, the faculty is unionized because historically they have not possessed shared governance to the same degree and with the same seriousness as at the University of California. So the University of California faculty by and large is content with the level of their participation in the affairs of the institution and with the system of tenure as it's presently administered.

But in institutions that by and large tend to be less well known or less distinguished or less exacting in terms of personnel practices, unionization is a common option, and therefore, unionization serves as a form of security of employment but omits the conceptual context within which the idea

of tenure is commonly and historically understood. You may have tenure explicitly within a union contract, but it's usually then a function of years of service and so forth rather than the way it is understood at the University of California or the University of Utah, for that matter.

In any event, it would have been a bad thing for Utah, and we were able to persuade the governor not to proceed. So it's just another example of how many of the successes and effective work of a university president are not known to anybody, because nothing happened, right? [laughter]

##

Gardner: And then one final story and I'll quit and let you go home. When I first went there, faculty salaries at the University of Utah were not what they needed to be for them to be competitive with the leading institutions of the country. And while we couldn't hope to compare our salaries with those of the leading privates, or even with Michigan or California, we wanted to be within shouting distance if we could. The problem was that the Salt Lake legislative delegation turned over rather frequently because it was urban, and it was mostly Democratic. The rest of the state was Republican and the more rural legislators hardly ever turned over. So we couldn't carry it just relying on the Salt Lake delegation. They were juniors in the legislature, and they didn't have the key committee assignments or chairmanships, et cetera.

Lage: Were they the ones that would be more in tune with the idea of raising faculty salaries?

Gardner: Yes, sure. So a former classmate of mine when I was at the BYU as an undergraduate was Dallin Oakes, former University of Chicago professor of law, very distinguished professor of law, and then serving as president of Brigham Young University. I went down to see Dallin in Utah County, where BYU was located. It had the second largest legislative delegation. I said, "What's the biggest problem you have at BYU?" He said, "Faculty salaries. We can't compete." I said, "You're not going to get faculty salaries up at BYU if we don't get ours up at the University of Utah. If the University of Utah's salaries rise, you have leverage to get yours up." He said, "That's right." I said, "Okay, you've got to deliver the Utah County legislative delegation for us. Then you will get yours because our salaries would have risen."

Lage: Interesting, because then he would have an argument for his own board.

Gardner: That's correct, exactly. He said, "That's a deal."

Then I went up to Logan, up to Cache County, where Utah State University is located. Utah State University and University of Utah were the only two public universities in the state. The rest of them were community colleges or state colleges, or BYU, which was private. I went to the president up there, who was an acquaintance of mine. I didn't know him well, but a very fine person.

Lage: Was he under the same Board of Regents?

Gardner: Yes, he was. Glenn Taggart. I said, "Glenn, here's the deal. You and I have the most to lose with uncompetitive faculty salaries because our respective institutions are in a job market that the other institutions of the state are not. Neither one of us is competitive in our job market. I've had a conversation with Dallin; we can hope to get a more sympathetic understanding from the Utah County delegation. He will help. We already have it with the Salt Lake delegation. The last piece in the politics is the Cache County delegation." It had a lot of senior legislators on it. I said, "Are you in or out? Because if we can get Cache County, Utah County, and Salt Lake County, we've got it." He agreed, and we did.

Lage: And he was in?

Gardner: Yes. We did real well.

Lage: Did it include increases for him?

Gardner: Oh, yes, sure. Because we were in the same job market. So that's how we really built up the faculty salaries at Utah's public and private universities.

Lage: That made a difference, I would guess.

Gardner: Made all the difference in the world. It built up our faculty salaries, and we became very competitive with the leading universities. California was hurting at that time under Governor Brown, and we were recruiting routinely out of the University of California.

Lage: You mean faculty from the university?

Gardner: As a result, yes, we were. We certainly were. In fact, when I came back to California, one of the first things we did was to try to get faculty salaries up, and we'll go into that at a later meeting. I remember Lieutenant Governor McCarthy said, "Well,

how do you know that these faculty salaries make that much difference?" I said, "Well, Regent McCarthy, I've just come off being president of the University of Utah, and we were routinely recruiting out of the University of California." "Oh, okay, I've got the point," he says. [laughter]

Lage: So it works both ways.

Gardner: Yes.

Educational Programs at the University of Utah: Medicine, Arts, Humanities

[Interview 4: October 18, 1995] ##

Lage: Last time, we started with Utah. You called it your ten-year honeymoon.

Gardner: Right.

Lage: I loved that. And we talked about getting set with the board of regents, the governing board, and the legislature. So today we are going to talk about some of the accomplishments in educational programs, and other things too.

Gardner: Yes. Well, the University of Utah in 1973 was a fine mix of excellent teaching and distinguished research for a second-tier research university in the United States, which places it rather high among the number of research universities in the country. It had very substantial and indeed international strength in the sciences, especially chemistry, physics, the life sciences, and the health sciences, especially medicine and pharmacy.

Lage: You hear reports in the papers continuously in those areas.

Gardner: Yes, it's superb, not only in the health sciences in terms of research, but also in the quality of the clinical care that's provided. So Utah enjoys a fine reputation in that area and has for years. It did when I went there. I did not build it; I merely helped improve it.

In connection with that, we were able to obtain funds to provide the physical facilities that those disciplines required for their continuing growth and development, not only for the undergraduate but for the graduate and professional programs as well. We dramatically expanded the university hospital and the

college of medicine, raising \$13 million from the private sector in the mid-1970s, which in Utah had never been done before. It doesn't sound like a lot today, but in the mid-1970s in that state, for a public university to raise \$13 million was no small matter.

In conjunction with that, we received a \$47 million bond issue from the state of Utah, the obtaining of which was hard going.

Lage: I think we talked about that.

Gardner: Yes.

In any event, the expansion of the medical center in the ways that I've described it set the stage for another jump in both the capacity as well as in the capability and the overall potential of the health sciences at the University of Utah, so I felt very proud about that.

Lage: Is that one of the jewels of the system, or the jewel?

Gardner: It is. It probably is the jewel. It's closely tied to the university's basic science components: with the departments of chemistry, physics, biology, or life sciences, at the (as we call it) lower campus, so that whole area has prospered. In the genetic research area, for example, the Mormon Church maintains probably the best health records, and without any question the best and most comprehensive genealogical records of any entity in the world, at least that I know of. The combination of that has made it possible to trace genetic markers of disease. It's even easier to trace it with polygamous families from the 19th century.

So researchers have come from all over the world to do genetic research there. There's a major laboratory funded by the Howard Hughes Medical Institute, there's a major human genetic research institute funded in part by the Eccles Foundation in Salt Lake City. Some of the world's finest researchers are now engaged there, and Jon Huntsman, a close friend of mine, in fact a neighbor in Salt Lake, has just given \$100 million to the University of Utah to develop a major center for cancer research, building again on the existing critical mass of competence and facilities that are in place. So I feel really good about how that has evolved over the years.

Lage: I knew about the Mormon Church's genealogical records, but why the health records? Do they have health records on people going way back?

Gardner: Yes, they do. Well, they're meticulous people by and large, and they've maintained those records. They maintain records, so the historians will be delighted with that, as well as the medical researchers.

Lage: I'll say. Were these programs in place when you came?

Gardner: No. The critical mass was there, but the development of the genetics research, the accessibility of the church's genealogical library and the health records of the state of Utah, the provision of laboratories for research in this area, the engaging of world-class scholars to come and be involved in this effort, gained its momentum in the mid-1970s while I was president. It was not my idea, but it was my opportunity to help provide the support for the growth and development of it.

Lage: Who generated the idea? It must have been more than one person.

Gardner: Well, several members of the faculty there who saw what the opportunity was, and the ones who persuaded me that this was the thing to do were Doctors John Dixon and Chase Peterson who served successively as my vice president for health services. Chase succeeded me as president in 1983, and John Dixon was one of the pioneers in the use of lasers for surgical purposes.

Lage: So you helped support the program and raise the funds.

Gardner: Yes. It was not my idea, but it was my privilege to help support it, get it started. It is now flourishing and will be one of the major centers for genetic research in the world, if it isn't already.

Then, in the whole area of the fine arts, the visual and performing arts, the University of Utah is very strong, especially in the performing arts--music, dance, theater.

Lage: And that was the case when you got there?

Gardner: Yes, wonderful programs. While I was there, we managed to build additional facilities to accommodate them. We worked out scholarship arrangements for students in those programs. But the pool of talent in Utah in music and dance and theater is uncommonly high.

Lage: Why is that?

Gardner: I don't know. It's just been part of the culture. When the Mormon pioneers came across the plains, for example, they would bring their violins, their cellos, their flutes, and some even

hauled pianos across the plains, rather than other things. I don't know the origins of that, but all I know is that's what happened. There's been an emphasis on learning about the arts, and in fact, translating the learning into performance. So there's a pool of talent there that's really remarkable, and the University of Utah then responded to that, did not create it. Seeing that link between the university and this talent in the state, especially among its young people, afforded me the opportunity to put a lot of money in that area, which I did.

We also attempted to strengthen the humanities at the University of Utah, which had not been, other than Western History and one or two others, among the strongest of the university's programs. I would say the social and behavioral sciences and the humanities are in general less distinguished than the sciences in general. There are notable exceptions on both sides, of course. So we did what we could to try and build that up and strengthen it. We provided scholarships and fellowships, strengthened the library collections in these areas and, in general, did what we could to help.

Lage: How do you get a handle on this kind of judgment when you come in as president?

Gardner: I had a very fine academic vice president. The dean of the graduate school was a friend of mine, Sterling McMurrin, who's a very distinguished American philosopher. He was U.S. Commissioner of Education under President Kennedy in the sixties. And a number of other colleagues on the faculty whom I either knew or came to know and whose judgment I respected: Henry Eyring, for example, was a very distinguished American chemist and former dean of the graduate school, and others. They helped me sort all this out. After about a year, I had a pretty good handle on it.

I tried to bring up those departments that tended to be on average somewhat weaker--or I'll put it differently: less strong than others--and to further strengthen those that already had momentum and potential.

Lage: Was there ever a case of having to do away with something that just wasn't going to make it?

Gardner: Let me think.

Lage: Would that have been one of the options?

Gardner: Well, surely. We did some merging. I can't remember the particulars. We did make some changes, but they were not dramatic.

I also went to the University of Utah at a very good time. The state was beginning to prosper economically, the growth was fairly substantial, in-migration as well as internal birth rate. I just hit it right, so money helps. I should also add that relations with our donors and alumni were also good. This helped with our legislative relations, and our private support went from about \$3 million annually to \$25 million annually.

Lage: That's part of the ten-year honeymoon.

Gardner: That's right. If we had been losing money every year, it wouldn't have been much of a honeymoon. So that helped a lot. Of course, that doesn't account for all of it, but it helped a lot.

Student Life, and Keeping Presidents Humble

Gardner: But I also am one who believes that one's environment does bear upon one's sense of pleasure in learning and being identified with the institution or being associated with it, or being on campus. So I did put more emphasis than many university presidents on the general landscaping, the physical development of the campus, trying to find ways, as Clark Kerr used to put it, as the institution gets bigger, to make it seem smaller to the individual student. We did quite a bit of environmental architecture, as it were, to disaggregate the campus into smaller parts so that students could identify with it, as against merely having a huge enterprise into which people walked without any sense of warmth or comfort or affinity. That was fun; I enjoyed going out and doing a lot of that.

Lage: It sounds like you really were hands-on in a lot of areas.

Gardner: I am. Yes, I was hands-on there. Unlike the University of California, which we'll get to later, where you can't be hands-on in quite the same way. But there, I was.

Lage: Did you have contacts with students?

Gardner: Oh, yes. I would, on my calendar, for example, block out--well, depending on how the week looked--one to two hours a week just as though I had an appointment with someone. I would block it out

and I would go walk around the campus. A lot of students, of course, would recognize me, and I would talk with them. Sometimes they wouldn't, and I would stop a student, introduce myself, and ask them what did they like about this place, what did they not like about this place. I would learn a lot.

I would meet weekly with the student body president and one or two of his or her principal officers. We kept up a continuous conversation about major issues. We never imposed a fee on the students for any debt service--for example, to fund buildings of one kind or another--without their express approval.

Lage: A voting?

Gardner: A voting, a vote. That was not true of tuition and fees, but it was true of all other student fees. I think it's fair to say that I got along real well with the students, and I enjoyed them besides.

Lage: Was there anything else you did regarding student life?

Gardner: There was an old field house which used to house the basketball arena and things like that. It was just sitting there, it was an empty shell. I got some money and we redid it as a recreation center for the students: indoor tennis, indoor track, which they hadn't had before--and in the long winter months, that's important. So we helped with the recreational facilities available to them. We built outdoor tennis courts, we did a lot of things to enhance the recreational capability of the campus, for the students, primarily, and some for the faculty and staff as well.

We also built a student services building where we took all the student services--financial aid, admissions, counseling, placement, and so forth, which were spread all over the campus and therefore very inconvenient for the students--and consolidated them all in a building right next to the student union building. The students voted to pay the cost of bonding for the student services building, so they paid for it.

I said, "Well, we can put up a building that looks cheap, or we can put up a building that really you're going to be proud of," and they decided to put the extra in to make it a building they could be proud of. It's a lovely building.

I did try to respond to the concerns the students had. We completely redid the bottom floor of the student union building where the cafeteria was located. It was like a World War II G.I. military cafeteria. It was not so good. We transformed it, with

student fees again, into really a wonderful facility which draws students together, and they're happy to be there.

Lage: Did the students have a political organization?

rGardner: Oh, they did, but they were not really active.

Lage: Not too politicized.

Gardner: First of all, the student body there was primarily commuting, with a relatively small percentage living on campus. Secondly, they were middle-class or lower middle-class, upwardly mobile students, most of whom were working. They came from large families. They didn't have time; they had to study, and work.

Lage: How about sports? Is intercollegiate sports a big thing at Utah?

Gardner: Yes, but it's not out of bounds there. Good solid programs, excellent facilities.

Lage: How does the president get involved in all of that?

Gardner: Well--[laughs]

Lage: There are always good stories having to do with athletics!

Gardner: I will give you an example. I hadn't been there three weeks. It was in August of 1973, and my secretary, Lillian Ence, who was a wonderful person, said, "You know, it's customary for the president to visit the football team during fall practice. So they'll be expecting you." I said, "Okay, get me a copy of the program, and I'll review the names of the players and learn something about the team."

So I went up, and I had done my homework. I watched the team from the sideline for a period of time, and my sense of apprehension about the coming season grew and grew. [laughter] In any event, I introduced myself to the coach. He whistled the team in so I could talk to them. There was one young man who was in a lot sooner than the rest of the team. The rest of them were kind of lumbering in, and he was already there.

I recognized this young man, and I said, "Hello." He said, "Hello." I said, "You're Steve Odum, aren't you?" He said, "Well, yes." And I said, "And you're a graduate of Berkeley High School, aren't you?" He said, "Well, yes." I said, "Well, I think that's great. So am I." He said, "Oh, yeah? Who the hell are you?" [laughter]

Lage: Oh, that's funny.

Gardner: True story. I thought, Well, they know how to keep you humble here.

##

That reminds me of another incident not long after I went to Utah. I hadn't been there very long when I was scheduled to go to Europe for the commencement of students studying for an MBA degree at military bases throughout the U.K. and Europe. The University of Utah had a contract with the Department of Defense to offer MBA work at various bases in the U.K. and in Europe. Once a year we had a commencement; so I had to go over and award the degrees.

Shortly after arriving in Utah, I was walking out of my office one day and noticed my academic gown was out, hanging on the door. I asked my secretary, "Lillian, commencement is not for--" "No, this is for Wiesbaden. You have to go over to Wiesbaden for our MBA programs," she reminded me. She said, "I'm sending your robes over to the business school. They're going to pack them up and send them over, and you will have them there when you arrive." I said, "I'm going right by the business school. I'll just take them and drop them off; save somebody a trip."

This was before the fall term started, so there was hardly anybody around. I walked over, walked into the office of the dean of the business school, and the administrative assistant was there, whom I'd never met and who was in charge of the arrangements for Wiesbaden. I walked in with my gown, and she said, "Oh! Is that President Gardner's academic gown?" I said, "Yes." She said, "Well, are you from the dry cleaners?" And she didn't give me a chance to answer but said, "We've been waiting a long time for this, where have you been?" I said, "Well, I got here as quickly as I could."

Lage: [laughter] You must have been enjoying yourself.

Gardner: I gave the gown to her and walked out. I found out later that she realized what had happened and was greatly embarrassed, but I never said a word. I didn't want to embarrass her. Anyway, it seemed funny to me. Maybe it won't seem funny to anybody else.

##

Gardner: Then one of the great pleasures our whole family had was attending the football and basketball games. They were really

quite wonderful. I would always go into the locker room afterwards and either congratulate the team or commiserate with them, encourage them as I could. I never got in the way. It's not my business to get in the way. I would stay out of that, I don't know anything about it. I would show up, and the team knew I was there. I would travel with them occasionally; Libby and I would both go.

Lage: Were there alumni groups that were interested in sports?

Gardner: Oh, sure.

Lage: Did they put pressure on the university?

Gardner: Oh, they didn't put a lot of pressure on us. They were supportive. Utah's really not like that. They were supportive.

Lage: I'm learning about Utah.

Gardner: Yes. So we enjoyed that aspect of the university a lot, and the kids who played were really good kids. It was a real positive.

Lage: Did you bring anything from your Santa Barbara experience to your management at Utah?

Gardner: Well, dealing with students, I did.

Lage: Because it sounds like such a different situation.

Gardner: It is, but the principles are the same. You work with them, you're available to them, you're visible, you're straight with them. The principles are all the same.

Lage: But it was a lot more relaxed.

Gardner: Yes, much more relaxed. I enjoyed student life there. My daughters enjoyed it, Libby enjoyed being with the students. We enjoyed the athletic program. We would regularly attend women's gymnastics, and they would win national championships. We would go to the men's and women's ski team competitions. They won the national in skiing, and basketball and football, mostly that's what we did.

Lage: Sounds very idyllic.

Gardner: It was great fun, yes.

I should say, there were about 22,000 students when I was there, roughly 20,000, 22,000.

Lage: That's a pretty good-sized campus.

Gardner: Yes, it was.

Lage: How many of those lived on campus? You must have had some residents.

Gardner: I think maybe 3,000, 3,500, so it was mostly commuters. A lot of them lived around the campus; I would say most of them commuted in. The classes by and large tended to be in the morning, early afternoon, and in the evening.

Lage: So students who were working during the day could come in the evening.

Gardner: Yes, that's correct. We tried to accommodate them, because that's the only way they could go to school.

The Administrative Structure: Vice Presidents' Cabinet

Lage: Let's talk a little bit about how you set up the administrative structure.

Gardner: When I went there, there were nine vice presidents. Two weeks later, there were five. I consolidated several positions. What they did was give people titles rather than compensation. This structure tends to fragment the functional work of the president's office. I did not want nine vice presidents; it was inefficient and, I thought, symbolically it didn't look good.

Lage: It looked like too much bureaucracy?

Gardner: Too much bureaucracy, too many layers, I had too many people reporting to me, and I didn't like that. We worked out arrangements so nobody was embarrassed, by and large. One or two might have been, but you can't do much about it, other than mitigate it as best you can. We had five after we consolidated. I have always believed in giving people challenging work, paying them well, and letting them go. So that's what I did.

Lage: So you're a hands-off manager.

Gardner: Yes. And working them hard, working them hard. Paying them well, and giving them an important job to do, and then leaving them alone.

Lage: How do you choose those people who become terribly important?

Gardner: Well, they are critically important.

Lage: Did you replace or did you use staff that was there?

Gardner: It was a mix. I brought in a new academic vice president, my number-two person.

Lage: Brought in from where?

Gardner: From the Department of Chemistry. He had been dean of the College of Science, very fine chemist. His name was Pete Gardner. He had no family relationship at all.

Lage: Did you bring him right in, or was this at a certain time?

Gardner: No, immediately.

Lage: How did you make that choice so quickly?

Gardner: I was appointed in March of '73, but I did not take office until August of '73. I would go back and forth between Berkeley and Salt Lake City. For example, I visited all the deans between March and August. I didn't have them all come to the administration building; I went out and visited them in their offices, which was very deliberate on my part. That impressed them, they liked that. I also saw their facilities and what they were doing. I had a sense of who was the most respected dean. Then I sought advice from other people whose counsel I valued, and it was very clear. I didn't have a formal search; that was the search.

Lage: It sounds as if there was agreement.

Gardner: It was a consensus, no question. It was a very popular appointment, and he did a great job.

I then persuaded Arvo Van Alstyne--who was one of the nation's leading legal scholars, and who had been at the UCLA law school many years and had been recruited to the University of Utah a few years before I came to serve on the faculty of the law school--I persuaded Arvo to be my vice president and executive assistant. One of the best things I ever did. He not only was brilliant, but he was loyal and committed and hard-working, and knew the university intimately, and was greatly respected by the faculty.

Lage: And that was the job you had had at Santa Barbara, so you knew all about it.

Gardner: Yes, but only partly the same. But I knew what was involved. I knew what to do with it. I really had to work hard to persuade Arvo to do it, but he accepted. I brought R. J. Snow, who was an assistant professor at UC Santa Barbara, who I had come to know at Santa Barbara, a political scientist, to be my chief of staff. He was terrific: sophisticated, energetic, competent, well-liked, firm, everything you would want. So I put my team together.

I also recruited Tony Morgan from California (one of Elmo Morgan's sons, Elmo having served as a vice president under Clark Kerr) to help me with the budget and planning.

Then I simply confirmed the appointment of the vice president for research, no reason to make a change. My vice president for university relations, I kept him, and my vice president for administration I kept. I didn't feel the need to come in with a big broom and sweep everybody out. I did it on a very clinical basis, each case on its own merits.

Lage: What does the chief of staff do in this setup?

Gardner: He coordinated all of the--how do I put it?--he kind of controlled who and what came into my office.

Lage: From the vice presidents?

Gardner: From the vice presidents. If Vice President A sent in something, he may not know, for example, that Vice President B was also working on a piece of it. R. J. Snow would know that. He wouldn't send it in until he had all of it together. Or, if he thought it was deficient in some respects, he would send it back and say, "We need this additional piece of information." So by the time I got it, the staff work was completed. He was also responsible for preparing all of the university's items for meetings of the Institutional Council and the Board of Regents.

Lage: How did you develop this style? I know so many top managers have their hands in everything. You sound as if you had a good system worked out.

Gardner: These are huge enterprises, and generally speaking, the vice presidents know more about their respective areas than I could possibly know. So I have to rely on them, which means you have to get capable people.

Lage: Was any of it modeled on what Hitch had set up?

Gardner: No.

Lage: He had a different style?

Gardner: Mine was not a radical structure; a pretty common arrangement actually.

Lage: I know, but people do handle it differently.

Gardner: Yes. I had a chief of staff and a vice president-executive assistant. Those two positions are not as common, but I wanted them for a number of reasons. First of all, I wanted the two people, and secondly, I wanted staff work that was properly done. Because letting the vice presidents do their jobs and sending their memos and reports to me directly meant that I would have subjected myself to a level of vulnerability that I preferred not to have; and Van Alstyne and Snow were my protection.

Lage: To kind of ride herd or watch over things?

Gardner: That's right, ride herd, pick it up, make sure that I'm not blindsided or inadequately informed, and I'm given a heads-up when I need it and so forth.

Lage: Would you have cabinet meetings with this group?

Gardner: Yes, oh yes. Once a week. It was calendared once a week, but we probably didn't meet more often than every other week. Usually for two hours. There was a fixed agenda, we went through the issues we had to decide, we discussed them. We didn't take a vote or anything; they were advising me, and I found their advice not always to be in agreement with either my views or among themselves, for that matter. If they were all in agreement, for example, on an important and complex issue, I would take the opposite view, because the issue did not lend itself to easy unanimity. It's too complex. Too value-laden, too many subjective factors, too many moving parts. So I would argue the other side just to make sure I had it straight.

Lage: Did they realize this was part of your tactics?

Gardner: No. They finally figured it out, but they didn't initially. [laughter] I also discovered which ones were willing to stick by their views as against which ones were willing to--

Lage: To follow the boss' lead.

Gardner: That's right. That was a very useful test.

So I had a wonderful team, a superb team. It was very stable. Van Alstyne was with me the entire time, except for the last year or two when he was asked to be the commissioner for all of higher education in Utah, when Ted Bell was asked by President Reagan to be his secretary of education. R. J. Snow moved from his chief of staff position to be my vice president for university relations, where he handled alumni and development and press relations and so forth, and did a superb job. He's now vice president of BYU, by the way, doing the same thing there. And then Pete Gardner had five years as vice president and wanted to go back to his chemistry, so he did.

I engaged Ric Davern who had come from UC Santa Cruz and was a very distinguished microbiologist. He picked it up for me. So I had very little turnover. The vice president for research and vice president for the administration changed once. This was a very stable administration, as it later was at UC.

Lage: Yes, very. Can you think of an example of how a controversial or difficult decision might be reached in a setting like this?

Gardner: Well, there were a lot of those, almost every week. We would have an agenda, we would go into cabinet meeting. If it was primarily in the purview of one vice president as against a more general issue, I would have him come to the meeting prepared for an analysis and recommendation. That would then be the point of departure, and we would have in-depth discussion.

What I would do was ask questions. I would say, "Well, if we do this, what are the implications?" Or, "Why is this option preferable to that one?" Or, "Have you thought of something that was not obvious, or with whom did you check? How did you arrive at this? Is this an assumption or a speculation, or do you know?" I would grill them in that sense.

Then I would sound out other options, and I would try and refine the recommendations, and generally speaking, by the end of that discussion, I had a pretty good idea what I wanted to do.

Lage: You wouldn't try to get consensus?

Gardner: If I was confident--no. Well, not necessarily. If they were sharply split and it was very difficult, I would say, "Well, I'm going to think about it. I'm not sure what to do, frankly." Then I would think about it. Then they would all come to me privately, and you would get a better sense of their views. Then on other issues where there was a real consensus and we talked it through, I said, "Okay, we're going to do that," and then we would go on to something else.

Lage: Those were the easy ones.

Gardner: Not easy necessarily. But we had thought it through and felt comfortable deciding.

Health Sciences and the Artificial Heart

Lage: Is there anything about the medical school? I know that medical schools bring up a lot of problems. Did that one?

Gardner: I had two superb vice presidents for health sciences in Chase Peterson and John Dixon. John was dean of the medical school when I went there. The health sciences schools included medicine, pharmacy, and nursing, and the hospital. Well, it's a huge enterprise, a huge enterprise.

Lage: Hospital management.

Gardner: Yes. Oh, it's a huge and complex enterprise. And I needed a vice president to look after it for me. I asked John to serve both as dean of the medical school and as vice president for health sciences, which gave him control over both the medical school and the hospital. Therefore the problem that usually attends the relationship of those two entities was his job to reconcile, not the president's, which is usually the case.

Lage: I see. Usually that's a split thing?

Gardner: Yes. The president winds up getting the hospital director on his case, and then the dean of the medical school arguing his case, and the poor president is there having to figure it all out. Well, I asked John to figure it all out with his position as vice president, and he was in a better position to do it than I was.

Lage: Did he do it to your satisfaction?

Gardner: He did a superb job, absolutely. It was great.

Lage: You make it sound so easy.

Gardner: Well--[laughs] It's just common sense, in many ways.

Lage: I have to ask you, give me something that was a bump in the road.

Gardner: Oh, I'll tell you that. But then John Dixon went back to the faculty in the medical school because he was doing pioneering

work in laser surgery, the use of the laser for clinical purposes, and wanted to get in on the front edge of that, which he did, and contributed a great deal. I then recruited Chase Peterson out of Harvard, who was vice president of Harvard, to replace him.

Lage: Was this hard, to get someone to come from Harvard?

Gardner: Yes, but he came.

Lage: How do you do it?

Gardner: Well, we were patient.

Lage: Money.

Gardner: No. Well, we had to pay him enough, but it wasn't just that. We were patient. Then he succeeded me as president when I left the university. You remember him when the artificial heart was implanted in Barney Clark at the University of Utah, there was a lot of world publicity about it, and Chase was the one who was explaining it all to the press. You may not remember that.

In any event, I had a wonderful and very stable team. I not only enjoyed working with them professionally, but they were personal friends. We had a great time.

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Gardner: I want to add a note on the artificial heart. After the heart had been implanted in Dr. Barney Clark, Libby and I had a dinner party honoring the engineers who had designed the heart, the people who had manufactured the heart, and the surgical team that had implanted the heart. We had a very nice dinner at the Alumni House honoring these people. And of course, implanting an artificial heart for the first time was a worldwide event, as you'll recall.

During the dinner, Bill DeVries, who was the surgeon, was sitting next to Libby. He was a real nice guy. We liked him a lot. Immediately after dinner, just before dessert, DeVries pops up and says, "We brought a seven-minute video tape of portions of this whole procedure that we thought might be of interest to the group, edited." And I thought to myself, Oh, just what I want to see while eating dinner. So he put the tape on, and here's the operation being shown, the surgery and everything. This is right during dinner. Libby's sitting there looking a bit pale.

We got to the point where he took out Dr. Clark's heart and put it on a metal tray; and Dr. DeVries turned to Libby and whispered, "this is the part of the operation where I knew there was no turning back." Libby nodded her assent. [laughter]

Lage: It confirms other things I've heard about cardiologists.

Gardner: Yes! "Oh, this is the part of the operation I knew there was no turning back." [laughter]

Lage: Libby survived, I hope.

Gardner: She survived. Yes, but I thought she was going to faint, actually.

Academic Senate

Gardner: One other thing on the faculty, and then I'll talk about the bumps. On the faculty, I would meet with the Academic Senate at their monthly meetings. There was a regular item, President's Report. If I had something that was worthy of their time and attention, I would then call it out, discuss it with them. If not, then I just said, "There's nothing to bother you with today, please go on with your meeting." I was very straight with the faculty. I would explain what our budget was, what our problems were, what our opportunities were--

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Gardner: So it was fine, I enjoyed that.

Lage: Was it a very different senate from the University of California?

Gardner: Well, for me it was, because when I was president of UC I dealt with the Academic Council which is a council composed of the heads of the Academic Senates on each of the nine campuses and the chairs of the major universitywide senate committees.

Lage: So that's very different.

Gardner: Very different. In Utah, I was dealing with the faculty directly, as our chancellors do in the University of California.

Lage: I've always heard that in our university here, it's a more active, more powerful, than on most campuses.

Gardner: It is. They also played a critical role at Utah. I expected to involve them more than our policies required me to, and I think that was a function of my UC experience. I would take issues to them that I had no responsibility or obligation to take to them.

Lage: I see, or that they may not have had presented to them previously.

Gardner: They would not have. But I wanted their advice.

Lage: Did they fall into that pretty well?

Gardner: Yes, it was fine. We didn't always agree, but that's okay, we had good meetings. I enjoyed that.

In addition to that, I would on a regular basis invite individual members of the faculty to come and have lunch with me, from different disciplines. Usually they didn't know one another.

Lage: Different disciplines at the same time?

Gardner: Yes. The same luncheon. I would say, "Please tell me what's going on in your field and what you're doing that would be of interest to us. What's happening in your field?" Then they would go around the table and do that. I learned a lot. It was an ongoing seminar for me. That kept me up and current and enlarged my range of contacts with faculty members, too.

My first year, I also visited every department. I think there were fifty-two of them.

Lage: That takes a while.

Gardner: I visited every one of them.

Lage: At formal department meetings?

Gardner: Yes.

Lage: Was this different from what they had experienced with the previous president?

Gardner: Yes, it was. It was very well received. They were happy that I would come and spend that kind of time, and it helped me get acquainted with the university in ways I never could have otherwise.

"Bumps" in the Road

Lage: Now, let's go to bumps in the road, or difficulties, maybe some mistakes that you learned from, if you can think of an example.

Gardner: Well, our relations with the legislature were not always easy. There was always an effort to coalesce other parts of the state for the express purpose of bleeding off the resources of the University of Utah, as I mentioned before. So I always had to work hard to keep that from happening, and that would cause me some pain with certain legislators. They have long memories, so it was not easy. That was always difficult.

I remember one time, our budget didn't look so good, and the person who was representing us was a very able person, Bob Fox. We were playing BYU in basketball, which is the big game there. It was the last day of the legislative session.

R. J. Snow and I and our wives were attending the basketball game. At halftime, the announcer comes on: "Is President Gardner here? A phone call." I got up and called, and Fox said, "You need to get down here immediately."

I pulled R. J. Snow out of the stands and we got down there only to find that our budget had been emasculated in the house, and almost at the last hour. The senate was wavering. We literally--this was at ten-thirty at night and the session ended at midnight--we had an hour and a half to deal with the problem.

Lage: You had your people there?

Gardner: I had our people down there. I took Snow with me, who knew a lot of them, and Bob Fox was already there. He was our legislative guy. We literally ran between the senate and the house and the house and the senate for an hour, cutting the deals.

Lage: Now, when you say cutting the deals, what kind of--

Gardner: Cutting the deals. We had to get our budget up--cutting the deals. All the moving parts that have to be arrayed in such a fashion that the outcome is what you want. We got the senate all lined up, and of course, the appropriation bills come out of the house, so the budget had to come out right from the house. They did not have time for a conference committee, so it had to come out right.

We finally got the senate squared away. The senate was ready when the house voted. Then we worked on the house. There was a house Democratic caucus position on our budget.

Lage: Is that unusual?

Gardner: Yes. It's almost impossible to break a caucus position, especially with just a few minutes left before adjournment. The speaker of the house, Mr. Rencher, a real fine person, later the U.S. attorney for the state of Utah, because his political career tended to be truncated as a result of what I'm just going to describe to you--we got him off the floor and made clear to him what the senate was prepared to do, how many votes we had for amending the budget that the Democratic caucus had agreed to. We got some Democratic people to come over to our side, and the Republicans were with us in any event. We arranged for the amendments we wanted to the budget to be voted on and informed key members of what they were. We then told Rencher, "Our count shows that you're the tie vote."

Lage: Was he a Democrat or a Republican?

Gardner: He was a Democrat, speaker of the house, majority party. He was the head of the caucus. He broke with the caucus to support these amendments and restore the university's budget.

Lage: Oh, my goodness. On their own position?

Gardner: On their own position. And when his vote was cast on our budget in support of what we had been working out, the place erupted. I turned to Bob Fox and R. J. Snow and I said, "Well, we've got it. Should we stay and thank people, or leave?" Fox says, "Are you kidding? Where's the exit?" [laughter] Out we went.

So we had those kinds of bumps, but they were ordinary bumps.

Lage: How did you bring Rencher along?

Gardner: Well, we persuaded him that the purpose of reducing our budget was to enhance somebody else's, and the cost benefits to the state were negative, and that as speaker, his obligation was to the state as a whole, and that's how he ought to vote. We made our argument.

Lage: Appealed to his better side, it sounds like.

Gardner: We did. He was a fine person, and he responded to that.

Lage: Did you have a past history with him?

Gardner: Oh, yes, we knew him. In Utah, we knew them all, as I've already indicated. I knew them all, even those who were mad at us.

Lage: Now, when you say this changed the direction of his career--

Gardner: He was out. Finished.

Lage: Really? I wonder if he realized the implications.

Gardner: Oh, yes, he knew. And we knew his wife well, and she was a real nice person.

So even the people who were furious with us nevertheless had a heightened level of respect for what we could do politically. They may not have liked it, but they had to allow for it. I want to mention that as well. That was a bump in terms of our legislative relations, but kind of routine for this business.

Let's see, what else? Our athletic teams, the football team never did especially well when I was there, and that was a problem. We had alumni banging on us, but it wasn't too bad. It was okay.

Either I blanked out the bumps, or they don't jump to my mind right now.

Lage: There's nothing that you would say, "Oh, this didn't work, I should have done it differently"?

Gardner: No, not really. Perhaps you should check with others.

Lage: It sounds like things did go quite well.

Gardner: Things really clicked, they really did.

Lage: And your daughters were--

Gardner: They loved it.

Lage: --getting up to what age by the time you left?

Gardner: When we left Utah, let's see. Our youngest was fourteen, just going into the ninth grade, up to Karen, our oldest, who was twenty-two, twenty-three. She had just graduated from Stanford at this point.

Lage: It was important times in their lives.

Gardner: Yes.

Housing at Utah, and the Cabin in Montana ##

Gardner: When I was employed by the University of Utah, there was no president's house as such. The university owned a home in a residential area where the previous president had lived, but it was not a president's house. The previous president did not have any children living at home, so it was a very different kind of home. We were shown this home, and it didn't fit our needs at all, with four young children and so forth. So we were searching around, and the university said, "Well, you find another home that suits you, and we'll sell the old one and buy you the one you want. The university will own it. We'll pay for its upkeep and so forth." So we did that, we found a home and the university put down earnest money in anticipation of buying it. It was not far from the other one. It cost \$125,000. This was 1973.

When this home was purchased, of course, the press made a big deal out of it. Nothing too bad, but there were two or three stories on it.

Shortly after that, I attended my first Regents' meeting. It was within a day or two of this event, and it was at Cedar City on the campus of the Southern Utah University. The authorization for the actual purchase of this home was on the agenda. While the down payment had been made, the purchase itself hadn't yet been authorized by the Regents. The Regents were meeting, and this item was on the agenda; and nobody had said anything to me about this matter.

But after lunch, and before the Regents convened for the afternoon meeting, the chairman of the board, Mr. Billings, said, "By the way, we have a problem with the president's house." I said, "What's the problem?" He said, "Well, there's been a lot of adverse newspaper coverage." I said, "Yes, but what's the problem?" He said, "The problem is the coverage." I said, "How does this problem translate into your consideration of the item today?" "We're going to table it today." I said, unbelievably, "You're going to table it today? You know, we have sold our home in California. The family is preparing to move up here next week. Where would you suggest we move? We have to get out of our home in California next week."

"Well, you'll have to find some place for a period of time until we can work this out." I said, "Well, you need to know, Mr. Billings, I have no intention of moving twice, I can assure you of that. And if you can't work this matter out today, I have no intention of moving even once." I was so mad. I thought, I can have my old position back at the University of California. They haven't filled it, so forth and so on, and I don't need this.

He sensed my feelings, took me at my word and said, "We'll take care of it," and they did. And there was never a problem, no problem at all, no further publicity. Nothing.

Lage: The press had probably been through--

Gardner: They explained this to the press, and there was no problem at all. Anyway, I got off to something of a rough start.

Lage: And you said earlier, before we went on tape, that housing--

Gardner: Has cost more presidents their jobs around the country. It's not worth it. It's just not worth it. I mean, I was criticized for not living in the president's house [at the University of California], but if I had lived there, I'd be criticized for living there in all that luxury. So there's no winning. There's no winning on the issue.

Lage: Who knows what it all means?

Gardner: Who knows what it means? I don't know what it means. People's attitudes toward this have changed dramatically. I remember as a kid going by President Sproul's house, University House on the Berkeley campus, this beautiful home, beautiful gardens, two big cars in the garage with drivers--I mean, nobody paid any attention to it.

Lage: No, they were proud to have the--

Gardner: That's correct, they were proud to have the president living under those circumstances. Well, today, not only are they not proud, they're critical. So times have changed.

One of the best things that Libby and I ever did was to buy a piece of property in Montana to get away during the summer months. When we were in California, we had always taken our vacations at Lake Tahoe, and then as we left California for Utah, we considered acquiring a small condominium at Lake Tahoe. It was ten hours distance from Salt Lake City. We also had friends who had a cabin in northwest Montana on Flathead Lake, just south

of the Canadian border. It was also ten hours away. The lake is the drainage for Glacier National Park, is fed by the middle fork of the Flathead River and by the Swan River, both of which are wild rivers. Beautiful lake. It's the largest freshwater lake in the western United States. It's larger than Tahoe. Not as deep, but--

Lage: And not as much heard about.

Gardner: No, nobody knew about it then. They do now, but they didn't then.

So we took a trip up, spent a week looking around, and fell in love with this lake. Our friends had a cabin on Wild Horse Island--Joe and Barbara Bentley. Joe had dated Libby when they were in college, and I had known Barbara when we grew up together in the Bay Area. Her father was our family doctor, so we knew them, and we fell in love with this place. So we bought a lot on Wild Horse Island on Flathead Lake, and the following year built a cabin.

The reason we did was because in a small state like Utah, I couldn't go anywhere without being recognized. So you're always on stage; and I didn't want to be on stage when I was on vacation. We had to leave the state, and it was hard to decide between Tahoe and Montana. But what we decided was that if we went to Tahoe, the kids, instead of being together, would scatter, with all the interests and things going on at Lake Tahoe, whereas on Wild Horse Island, there's no place for them to scatter.

Lage: Family time.

Gardner: Family time. There was no electricity, there were no motorized vehicles on the island. One had to get there by boat.

Lage: Wonderful.

Gardner: Yes. And we pumped the water out of the lake, untreated--it was and is--so pure you can pump it out and not treat it. We had about 700 feet of frontage, right on the lake, with our own dock.

Lage: This must be a pretty good-sized island.

Gardner: It's nine miles around, and there are about eighteen cabins on it. It's just an ideal, wonderful place, and the girls loved it. So it worked for us. We played games at night by lantern light, we'd water ski, we'd fish, we'd swim, we'd hike, we'd read, we'd work on the cabin, we'd sleep--you know, it was just great. And

our going up there for almost a month every year when we were at the University of Utah, and every year we were at the University of California, it strengthened our family ties dramatically.

Lage: I can imagine, getting away like that.

Gardner: Yes, getting away. I'd come back ten pounds lighter and feeling ten years younger, literally.

Lage: Do you still have that?

Gardner: Yes, we still have it, and I wanted to mention what a wonderful thing it was. There was no telephone. I had to call in; nobody could reach us.

Lage: That's perfect. It's a real vacation, not the kind people take with their cellular phones.

Gardner: No, no--perfect. When we were there, we were there. The closest town was ten miles away, and we'd go there for groceries. Other than that, there was nobody around, except a handful of neighbors whom we came to know well, together with their children. There are Rocky Mountain bighorn sheep on the island, lots of bald eagles and osprey and other wildlife, hawks and so forth, and deer and coyotes and an occasional bear and cougar.

Lage: Was it Forest Service?

Gardner: No, it was owned by one gentleman who died, and the family was selling off parts of the island to help pay the estate taxes. But they worked out a deal with the Nature Conservancy. The Nature Conservancy bought it, because it was such a--

Lage: Bought the whole island?

Gardner: Bought the whole island, and then sold it to the state of Montana as a state park with conditions. So it's never been developed, never will be developed commercially.

Lage: And they allow these private ownerships?

Gardner: Yes, we are grandfathered out, so it's great. So I wanted to mention that that was a very important part of our lives.

1975 Presidency Offer from the University of California ##

Lage: A couple of things happened while you were there that we want to talk about. One was the offer from the University of California when they were searching for a president.

Gardner: Oh. You may recall that I commenced my work at the University of Utah in August of 1973. Charlie Hitch was still president of the University of California. The following year, he announced his intention to step down as of July 1, 1975. I think that's correct. The Regents appointed a search committee and I was contacted. I indicated to them that I really could not be considered as a candidate, as I had just started at Utah--I had only been there I think fourteen months at that point--that if I were to go to California, my successor at Utah would have been the fourth president in five years, because they had an interim president before I went there for two years, and he had succeeded Jim Fletcher, who had gone to NASA as the director of NASA. So I was the third president in a five-year period, and I said the Regents would never had hired me at Utah if I thought I would be leaving so soon. I had really a moral obligation to be there.

Well, they didn't want to hear about all that.

Lage: [laughs] They didn't care about your moral obligation.

Gardner: No, they didn't care. They said, "Well, would you be willing to come down and help us sort through the qualifications of people we should look at?"

Lage: Is this a committee of regents?

Gardner: Yes, a committee of regents. "And help us understand the nature of the position from your viewpoint?" In other words, give us a hand in the search. I said, "Well, I would be happy to do that." So I went down and I met with them, and Governor Jerry Brown was there, taking an active role.

Lage: He was active in the search?

Gardner: He was active on the search committee. I met for maybe three hours with them. As I walked out, Governor Brown said, "I really enjoyed your responses," which astonished me, because I thought they were at odds with his views, frankly, in many ways.

Lage: Based on what he said, or just what you thought they were?

Gardner: No, what he said, or what I had speculated, perhaps unfairly. But he said, "I really would like to talk with you at greater length. Are you free for dinner tonight to join me at the Zen Temple in San Francisco?" I said, "Well, I would really enjoy going there with you, but I've already committed my wife and I to a dinner at the Hitches'." He said, "Break it." I said, "I can't do that, we've accepted." "Well, can we have breakfast in the morning?" I said, "Sure, you just let me know where." "I'll call you," he said.

We went up to the Hitches', and I told Charlie about this. He said, "You should have broken your dinner commitment with us. The governor of the state wanted to meet with you." I said, "Well, you know." While we're sitting there visiting at Blake House, the governor called, and he asked for me. Charlie said, "Governor Brown's on the phone for you." The governor said, "I can't meet with you for breakfast. Something else came up. Can I have lunch with you?"

I said, "Lunch won't work. My father is very ill in Walnut Creek. We have a late afternoon flight, and the only time I can see him is in the afternoon. So that won't work." Charlie Hitch was aghast at my response. "What are you saying?", Charlie mouthed. And the governor said, "Oh, I see." He was very good about it. He said, "Well, can you meet me at ten o'clock?" I said, "Sure, that would be fine." So we agreed to meet at a private residence in Berkeley.

Lage: But not at the Zen Temple.

Gardner: But not at the Zen Temple. It was a private residence in Berkeley, and we met for two hours.

Lage: He didn't keep you waiting?

Gardner: No, he was there before I was there. We had a very good discussion, very good discussion. We hit it off, actually, I think much to our mutual astonishment.

Then I thought, Well, that's that. I had helped them, and I went back to Utah.

I then get a call asking if I would be willing to do for the full board what I had done with the search committee. I said, "You need to understand that I am not a candidate for this position, I cannot be a candidate for this position." "Oh, we know that, but we want to have you share your views with the full board." I said, "Well, okay, if you really think that would be

useful, I'm happy to do it." So I flew down and met with them in San Francisco.

As I was coming out of the meeting, Regent Dean Watkins walked up to me. He said, "Dave, you need to know that the full board is meeting tomorrow, and I know you're not a candidate, but if you don't explicitly withdraw, you're going to be appointed."

I said, "What are you talking about? I can't do that." He said, "Well, you either send us a letter to that effect, or you're going to be elected tomorrow." So I got on the plane, and as I flew back to Salt Lake, I wrote my letter. The next morning--I don't think we had faxes in those days--

Lage: We didn't have faxes, so I'm wondering how did you get it there.

Gardner: I called it to the secretary of the Regents. I read it to her. Then I sent it by express mail or whatever it was.

Lage: Whatever you did in those distant days.

Gardner: Yes, that's correct. Well, when the secretary read my letter, the Regents chose not to act on the matter and later that day, I got a call from William French Smith, later U.S. Attorney General under President Reagan, who was the chairman of the board. He said, "No one can believe that you're unwilling to accept the presidency of the University of California. It must be something we're missing." I said, "You're not missing anything. It's just as I described it to you."

He said, "Dave, you have--" I think it was eighteen out of twenty-four votes on the first ballot. And I'll never forget it: he said, "Jesus Christ wouldn't get more votes than that from this board." [laughter]

Lage: What a line!

Gardner: I have never forgotten it. I said, "Well, I can't." And then for the next several hours, I got one call after another from various regents asking me to reconsider.

Lage: It must have been tempting.

Gardner: No. Because we had moved from Santa Barbara to Lafayette. We were in Lafayette for two and a half years and moved to Utah. We had been at Utah fourteen months. We had moved our whole family. We were just settling in. I had one campus there. I had young children.

Lage: Something you could handle.

Gardner: I could handle that. University of California, nine campuses, I would have been gone 50 percent of the time. From a personal standpoint, I didn't want to do that. I felt a primary obligation to the family; besides, we loved Utah. We enjoyed it. We enjoyed the University of Utah. We thought this was an ideal situation for our children, and we thought the position at the University of California at that point was not an ideal situation for our family, in addition to the concerns I had for the University of Utah, which it would be grossly unfair of me to leave. So that was the story of that, and that's what happened. That was in 1975.

Lage: Yes, it must have been '75, because that was when Brown came in.

Gardner: It was the spring of '75, that's correct. They then appointed Dave Saxon, of course, and I urged them to do that, frankly, when they were clear that I wasn't going to do it. I said, "Well, you've got an excellent candidate in David Saxon."

Lage: It's hard to go back and rewrite history, but how would you have done at that point in your career? Did you learn something at Utah that made a big difference?

Gardner: Yes, I did. I think I had much more confidence coming to California in '83 than I would have if I had come in '75. I mean, who knows? I don't know. I was never one who really lacked confidence. I don't mean that in an arrogant way, but I've always been a secure person. But I'm sure that I had a set of experiences at Utah that helped strengthen my own sense of what I might be able to do, and gave me a little more confidence than I might otherwise have had.

Lage: You had all that legislative experience.

Gardner: I had all that experience, which I hadn't had previously in California except at the margins. I had not dealt with faculty members quite the same way that I had at Utah. Of course, I had dealt with students at Santa Barbara. I had not dealt with alumni except at Santa Barbara quite the same way as I did at Utah. And, I was only forty-one anyway.

Lage: A mere baby.

Gardner: Yes. So those years helped, too. I also feel that I wouldn't have been comfortable knowing that I was missing the raising of my children and being away from Libby so often. So for a lot of reasons, I felt, No, this is not timely. I also told Libby when

I made this decision--she was willing to do it either way, but I think she was happy with the decision we made--I said, "Well, that will never come again. That only comes once every lifetime. That will never come again." She said, "That's okay, it won't be our last opportunity to be president somewhere else." But we believed, if I may put it this way, that no success outside the home compensates for failure in it, and that was a guiding principle for us.

Lage: It's nice to see it articulated in that way.

Gardner: Yes. That's how we saw it.

Lage: I'm reminded of something you said in an earlier interview, and I think you said it in reference to about the time you left UC the first time, that a Mormon wouldn't be appointed president, or you didn't think one would be. Now here it's only a couple of years later--

Gardner: I know. Well, I guess I was wrong. [laughter] I was wrong. Much to the astonishment of a lot of people, including myself.

The other thing is that I don't know how I would have done. This was right after Governor Reagan left and Governor Brown was in, and of course, the university had a lot of difficulties with Governor Brown. Or he might say he had a lot of difficulties with the university; I'm not sure. Whether I could have had any effect on that, I really don't know. I do not know.

Lage: You had started out well with him.

Gardner: Started out well with him, but that doesn't mean anything necessarily.

Meeting with Governor Jerry Brown

Lage: What was your meeting like, that two-hour meeting?

Gardner: It was really interesting. He was asking, "If you had more money, where would you put it? If you had less money, where would you take it away?" These questions were good questions, and I didn't regard them as unfriendly. He had his views, I agreed with some of them, and a lot of them I took sharp issue with him on, and we had some vigorous debates, but I think he respected that.

Lage: So it was an exchange of views, not just a questioning.

Gardner: Yes, it was. Not at all, and I found--I never talked to him later about it, but I was told by several regents that he was very supportive of my appointment and was astonished when I withdrew.

Lage: You might have had a lot of late-night calls from him if you had become president then.

Gardner: I'm sure that's true. Although I think I would have encouraged him to call another time.

Lage: [laughter] Maybe you could have tamed him.

Gardner: I would have tried, in any event. For his own sake, not just my own. But we did get along. As different as we were, we hit it off.

Lage: He seems like a very intellectually interesting person.

Gardner: He was, and I think he liked the fact that I could deal with him. Yes.



Left: Collecting eggs at uncle's ranch in the Rocky Mountains, Delta, Utah, 1940 or 1941. David Gardner at right, with cousin Lynn Gardner.
 Right: Fishing at Echo Lake in Desolation Valley, summer 1950. David Gardner at right, with Bill Underhill, fellow Berkeley High School graduate.



Dick Erickson, executive director of the Alumni Association; General William F. Dean, distinguished alumnus and Korean War hero; and David Gardner at an Alumni Association house party, Wawona Hotel, Yosemite, 1962.



Libby and David Gardner in Tehran, Iran, meeting with Queen Farah in the palace, June 1977.



Left: David, Libby, Shari, Lisa, and Marci Gardner at the dedication of Gardner Hall, University of Utah, 1982.

Below: Libby and David Gardner with Lord Eric Ashby, distinguished British botanist and vice chancellor of Cambridge University, University of Utah commencement, June 1980.



VII A NATION AT RISK, NATIONAL COMMISSION ON EXCELLENCE IN
EDUCATION, 1981-1983

Lage: Shall we talk about *A Nation at Risk* and the National Commission on Excellence in Education that you chaired?

Gardner: Yes, I would be happy to do that.

The former commissioner for higher education in the state of Utah was Ted [T. H.] Bell. I had worked with Ted for several years in his capacity as commissioner, and we were friends. We worked well together, and I liked him.

He was asked by President Reagan to be secretary of education. He accepted. Within a year of having been appointed, he called one day and said, "I have two major jobs here. One is to dismantle the Department of Education under the express instructions of the president, and the second is to check the downward erosion of public regard for the public schools, and to find ways and means of strengthening the public schools so as to command higher levels of regard on the part of the public and thus a flow of funds sufficient to meet their purposes. With which one would you like to help me?"

I said, "I reserve twenty-foot poles for the first one, not ten-foot poles. I'm not touching that. The second one, I'm interested in." Then we talked about it. He said, "Would you be willing to chair a national commission?" I said, "Well, it depends. Who's appointing it, you or the president?" He said, "The president won't appoint it, and I'm appointing it at some risk to myself, but it's needed." I said, "Okay."

Lage: What was the risk to him?

Gardner: Because the White House's view was that the federal role in education was very marginal, and therefore, this was not an

appropriate expression of federal interest. So Ted was taking a risk proceeding with this.

Ground Rules

Gardner: Then I said, "There would be conditions." He said, "What are they?" I ticked them off--I'm trying to remember these as best I can. I'm probably going to forget some, but I'll try. It's not written down anywhere.

Lage: It will be now.

Gardner: Yes. One was that he and I would both have to agree on the commissioners to be appointed. Either one of us could veto. Second, there would be no political litmus test for any of them, including me. Education is a nonpartisan issue, and the composition of the committee should symbolize that. Third, that we would have enough money to do the job properly, so that I didn't have to come back and beg for any more later. Fourth, the president would need to accept the report if the secretary could persuade him to, and Ted agreed to try to do so. The president didn't have to agree with it, but I hoped he would accept it, in the official sense of that term. Fifth, that the secretary would agree to publish the report whether he liked it or not. Sixth, that he and I would both have to agree on the director of the staff working with us. Seventh, that he would leave the substance of our report to members of the commission, and he would apply no pressure on us on any substantive issue, either personally or through surrogates.

Lage: In the course of the commission--

Gardner: In the course of the commission's work. Eighth, that we would do this in eighteen months. And ninth, if he liked the report, that he would take appropriate follow-through to get it around the country. If he didn't like it, he didn't have to, but at least if he did like it, he would be obliged to do that. There were some others, but that's basically it.

Lage: This sounds so comprehensive and well thought out.

Gardner: No, it was spontaneous, right on the telephone. It's just common sense. For me, anyway, it was just common sense. It just clicked in.

- Lage: It clicks in, even though you hadn't been on a national commission before?
- Gardner: I had, yes, but nothing like this. I was on the National Commission on Student Financial Aid, and on one or two others, but I wasn't chairing them. Very different, very different. These just seemed to me to be the obvious ground rules that we would have to agree to, or it would not be a task worth undertaking.
- Lage: They seem like something you would think about for two or three weeks and write up in a memo.
- Gardner: I suppose so, but it came right out.
- Lage: And how did he respond?
- Gardner: He responded affirmatively to all of them, so that was fine.

Makeup of the Commission: Handling Political Pressures

- Gardner: Then we proceeded to appoint this commission.
- Lage: How did you come up with your commission?
- Gardner: We wanted people from various parts of American life. We had a governor, Governor [Albert H.] Quie from Minnesota. We had a superintendent of schools, we had a couple of principals, we had a teacher, we had a school board member, we had university people.
- Lage: Did you look at politics, political views, to get a balance, or you just didn't consider them?
- Gardner: No, no. We did not. We looked for an outstanding high school principal, preferably an inner-city school. We got Emeral [A.] Crosby from Detroit, who was a black principal from Detroit. He was a terrific member of the commission.

We wanted a superintendent who was both respected and experienced, and we got Frank Sanchez, Francisco [D.] Sanchez [Jr.] from the Albuquerque public schools. He was superintendent there.

We wanted another principal from a private school, and we got Richard Wallace from Lutheran High School in Cleveland Heights, Ohio.

We wanted a professor who cared about K-12 and had done something about it. We got Professor Gerry [Gerald] Holton out of Harvard in physics, whose contributions to science education are well known nationally.

We wanted a teacher and got Jay Sommer who was National Teacher of the Year for 1981-82.

We wanted a governor, and we got Al Quie who was a former congressman and then governor of Minnesota.

We wanted a school board member, both from local school boards as well as from a state school board. We got Margaret [S.] Marston from the state school board of Virginia, and Yvonne [W.] Larsen from the San Diego City Schools, for example.

Then we wanted some senior statesmen, if you will. We got Bill [William O.] Baker, who was chairman of the board of Bell Labs, and Professor Glenn [T.] Seaborg from Berkeley, a Nobelist in chemistry.

Then I was a public university president, and we wanted a university president from the private sector.

We wanted someone from the historically black colleges, so we got Norman [C.] Francis who was president of Xavier University in New Orleans.

We got Bart [A. Bartlett] Giamatti, the president of Yale, because we wanted a private university that was not historically black. And so forth. So that's how we did it. The roster of commissioners is included in the report itself if you wish to see who served.

We thought, Of all the superintendents, who's the best one? Of all the principals, who might we get?

Lage: Did you ask of other people?

Gardner: Oh, yes.

Lage: So you got a lot of feedback.

Gardner: And Ted had a lot of contacts, I had contacts, and we worked it out.

Well, two weeks into this process, Ted called. He said, "I'm embarrassed to ask you this question, but I am directed to do so by the White House. I need to know what political party you are." I said, "Now, Ted." He said, "I know, I told him you wouldn't answer." "That's right," I said. I then said, "You know, that's for them to wonder about and for me to know."

Lage: Isn't it a matter of record, those things?

Gardner: At that point, I don't believe I was registered with either party, and I wasn't going to tell the White House in any event. I said, "Moreover, Ted, you called me two or three days ago to get Glenn Seaborg to serve. You called Glenn, and he said no. Then you called me," I reminded him, "a couple of days ago and asked if I would call Glenn, and I did. Now he's accepted. Are you now going to ask Glenn Seaborg what party he is?" I mentioned this because I had told Seaborg what the ground rules were, or he wouldn't have accepted.

I said, "You need to go back and tell the White House that this is inconsistent with the understanding that we have, that this is a matter I do not intend to share with them, for the reasons that this commission should be nonpartisan, and that if I answer this question, they're going to ask everybody else, and that was not the deal. If they persist, that's up to them, that's fine, but I will not serve. So if you want me, or Glenn and others, you can't persist in this requirement. If you want a different kind of commission, that's fine, that's up to the White House, but that's the option."

He called back in an hour. He said, "Well, they're going to waive the political test for this commission, and they're not happy about it." I said, "I don't care about that. Is it waived or not?" He said, "Yes," so that was that.

Commission Staff

Lage: Did they come through on the rest of it, the amount of funding and the rest of your conditions?

Gardner: Unfailingly. We had enough money, we had a superb staff. Milton Goldberg was sequestered from the Department of Education to serve as our director full-time for the entire eighteen months.

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Lage: How important is the staff?

Gardner: Bell did recommend him. Staff was critical in that--

Lage: You're all busy doing things.

Gardner: We're all busy. See, Goldberg knew what was going on in the country. He was head of research for the Department of Education. He knew what was going on. He knew who to call on for commissioned papers and so forth. The staff arranged our hearings around the country, of which we had several, on various themes of one kind or another. We had a wonderful commission. These people came, they participated, the chemistry was good, they had a variety of views, they argued vigorously, but they were all committed to the task. We were on a tight timeline, eighteen months. It's the only way to get things done.

The Work of the Commission

Lage: How do you organize? You had the hearings, and then would you discuss that aspect?

Gardner: Yes, we did. I forget exactly how we organized it in detail. But I remember some things.

I remember the first meeting, there were a few subtleties. At the first meeting, for example, here's Glenn Seaborg, a Nobel laureate. Here's Governor Quie, and he also had been a very well-known congressman. Here's Bart Giamatti, the president of Yale. Then there were people who were less famous, and they were a little intimidated, or at least I thought some seemed to be; I thought they wouldn't feel as comfortable as I wanted them to be if I didn't make an effort to put them at ease. So I would seat Glenn Seaborg next to the teacher of the year, and the teacher next to a school board member. I didn't put Seaborg and Bill Baker and all these guys together. I spread them around.

Well, everybody got that message, and everybody hit it off. And you know how easy Glenn Seaborg is to talk with. So everybody hit it off, and we had a very good rapport.

Then we gave out assignments for commissioned papers, and we decided which papers we wanted commissioned. We ordered up the research that we needed. We divided ourselves into committees for purposes of holding hearings, because all eighteen of us or whatever it was couldn't attend all the hearings, so we divided

into hearing committees to do that, in addition to the many hearings and meetings we had as a commission meeting together. (Hearings are listed in the back of the report.) And we went to work.

Then, after we gathered all that information, we asked, How are we going to organize it? How shall we format this report? What issues do we want to stress? What are our respective views about what we had heard and read? Could we agree on conclusions? What recommendations do we wish to make and why, and so forth.

Writing the Report

Gardner: Then the staff came into play. I remember they wrote a first draft. It was about 225 pages. We got it late afternoon in one of our meetings. I went up to the hotel room, started to read it, and promptly went to sleep. I thought, Nobody's going to read this report! It read like a master's thesis. Who was going to read this?

The next morning, I called Seaborg, and I think Quie, and Baker, and three or four others, Holton, and some others. Their reaction was essentially the same. I said, "Look. Let's not write a report to the government, as we've been asked to do. Let's just pretend to write a report to the government. Now, we'll write a report that goes to the secretary, but it's not a report, it will be written as an open letter to the American people about the condition and quality of American public schools. That's our audience, not the government. That's our audience. Now, if we do that, we will keep it short, we'll write it in plain English, we'll deal only with the essential issues, we'll eliminate all the jargon, and that will guide us with respect not only to the formatting but the tone, the prose, and so forth, as well."

They all liked the idea, but weren't sure that it could be done. After all, we had been asked to do something else. I said, "Well, that's okay. No one's monitoring this report. We're writing it."

Lage: We know Reagan likes his material to come in brief.

Gardner: Yes. So we agreed to do that. Then we asked Gerry Holton to write the first draft for us, we didn't ask the staff to. He did. Much of the final report was a function of how he first organized it.

Lage: It's very engagingly written, very accessible.

Gardner: Yes, it is. Very accessible, and easily read, but with substance. His draft, of course, went through a number of iterations and changes, but he should get the credit for having done the first draft. The staff did not, and I did not.

When he came back with it, people liked it. They liked it. They didn't like everything about it, they didn't agree with everything, and then we started the real work. We said, "Well, we're going to divide this report into sections on the content, or curriculum, time, expectations or standards, the teaching profession, and the role of government." Then we asked Gerry to go back and reorganize it accordingly. We all agreed on the format.

Then we started going through the text, and we would take one section at a time and we would argue it out. In terms of the curriculum, we had tremendous arguments on what should be in there and what should not, and how we defined English, how we defined history, how we defined math, and so forth. Then we would get agreement, and then we would go onto the next one, get agreement, and so on. We didn't always get complete agreement, but we got enough that we got through it. So this went through several iterations.

Up until a meeting in Chicago early in 1983, all the meetings had been both constructive and advanced our work. At the meeting in Chicago, we began to retrogress.

Lage: Over a particular issue?

Gardner: I forget what it was, but we were beginning to go backwards. I left to catch my plane--I forget now who I was with--and I said, "That's the last meeting of the commission until the report's done. No more meetings. We will do this by mail."

Lage: The interaction wasn't good?

Gardner: They were beginning to drift apart instead of come together. We were up against a deadline. I told Milt Goldberg, "No more meetings of the commission. The last meeting of the commission will be to approve the final report officially. That's it. You and I need to finish this up together by way of telephone conversation with the individual commissioners and by way of circulating drafts and receiving their comments. That's what we've got to do. You need to free your time up and come out to Salt Lake."

So over a period of weeks or months, I forget what it was, we would sit down and rewrite it as best we could in ways that reflected the majority view as faithfully as possible. Then we would circulate it. Then we would get comments back, and we would change it, we would send it out, we would get it back, send it out again, get it back. We did that four or five times.

Finally, we had all but five commissioners aboard. Their disagreements were limited to certain sections or to parts of the report, and they tended to be in disagreement with one another as well as with the majority of commissioners. We asked Gerry Holton for his final comments, and he sent them by tape. When he finished sending them in, we made the changes, but at the end of his tape he said, "If you make these changes, the report's acceptable to me." So we held him to it. We had Gerry on board.

Then, four of them were determined to write minority reports. I did not want minority reports, because the press would pay more attention to the minority report than to the report itself. I did not want minority reports.

Lage: Were they going to write a minority report, the four of them getting together?

Gardner: No, four separate minority reports. That's the only thing that saved us. So I would call Commissioner X, and I would say, "Look, we've done everything we can, we've accommodated you in every way we possibly can. I can't do any more and still be faithful to our other commitments. Would you consider going along with this report?" One of them said okay.

Another one said, "No, I'm going to write a minority report." I said, "Well, you should know that if you write your minority report, Commissioner Y, who has a very different view of it, will write his minority report. He's more famous than you are." [laughter] That's exactly what I said. "Yours isn't going to be paid attention to. His will. Now, if you don't write it, I think I can talk Commissioner Y out of it." "Well, okay." So that's what we did.

The last person I talked with was Seaborg.

Lage: Oh, he wanted to do a minority report?

Gardner: Yes, he did. I had an obligation to submit final changes in our final manuscript by 10:00 p.m. eastern time Sunday night by telephone to Milt Goldberg. The president agreed to receive it the following week, and to get it published, and we were just up against the wall. I certainly didn't want Glenn writing a

minority report. So I was on the phone to Glenn about 8:00 p.m., eastern time, Sunday night. I got everybody else aboard; I spent all weekend doing it. Got everybody but Glenn aboard. So I got Glenn on the phone, and we talked for an hour. I made a few more changes at his suggestion. I finally said, "Hey, Glenn, I can't make any more changes. That's it. I've made commitments to other people, not just to you. Besides, you sound like you're negotiating with the Russians, not your old friend Dave Gardner."

He said, "Well, what do you want me to do?" I said, "I want you to sign this damn report!" "Well, why didn't you just say so?" he said, laughingly.

Lage: Oh, he was just quibbling about little improvements?

Gardner: He was just getting all he could. [laughter] So Glenn signed on, and I called the final changes to Goldberg that very night. The presses started running the next day.

Lage: What kinds of things were they so hard into?

Gardner: Oh, whether there should be two or three years of math, two or three years of science, that kind of thing. Whether our statement about excellence within the context of students who have a hard time being excellent was on target. Whether our definition of the role of government accorded with their ideology. Concerns about merit pay for teachers, that we would turn off the unions. That kind of stuff.

Lage: Did you feel you had to homogenize it too much?

Gardner: No, not at all.

Lage: You were happy with the way it turned out.

Gardner: I was and am real happy with it. Glenn, for example--the section that deals with, "If a foreign power had done to us what we've done to ourselves, we would have regarded it as an act of war." That was at the end of the text. Glenn wanted it up front. Glenn was right, but others didn't agree. I finally got it up front, so he was happy with that. He was right.

Lage: That was just more a matter of presentation and wording.

Gardner: Yes. Some of it was formatting, where you put it, fine points on the language. Let's see, there was one other point.

Oh, this was due not in April of '83 but in March of '83. The president had on his calendar to receive it in March. Milt

Goldberg, our director, and I were in my office in Salt Lake working on one of the last drafts in early March, and I said to Milt, "We're not going to get this in time. Not if we want everybody aboard, we're not going to get it." He said, "That's right." I said, "I'll call Bell." So I picked up the phone and called Ted. I said, "Ted, we can't have it for you in March, as promised."

"What do you mean you can't have it!," he said. "You don't know how hard it is to get on the president's calendar," and he gave me this song and dance. I said, "Well, look. We can give it to you now if you want, but it won't be what you want and it won't be what we want, it won't be what it can be, it will be less than you'd hoped for. Which is more important?" He said, "I'll call you back."

He called me back in two hours. He said, "I can't believe it. We got back on the president's calendar for April. I can't believe it. The whole thing is put off till April. Don't miss April." Click.

Lage: So that gave you enough time.

Gardner: We really pushed hard, it gave us enough time, and we got it.

Submitting the Report

Lage: What happens to a report like this?

Gardner: Well, this report was submitted to Bell but was received by the president in the White House. Now, when the president receives a report, obviously the press is there. So that guarantees national coverage. The question is, what kind of coverage are we going to get nationally?

So we went back to Washington. Bell loved the report. It pleased me very much that he was enthusiastic about it. To his credit, he never asked to see a draft, although I assume its general thrust had been shared with him by Goldberg.

Lage: That is nice.

Gardner: That took a lot of courage on Ted's part.

Lage: You would have had another element there.

Gardner: A lot of courage on his part. I have to really give him credit. He loved the report. In fact, it was well beyond what he had hoped for. But he had risked a great deal in asking us to write it, and he honored every commitment he made to us.

Ted and I went to the White House in the morning, and the White House press corps had been assembled. We prepared no real press release, because the report was short enough that the press could read it. We had given them copies. They read it, they liked it, so they all showed up. Ted Bell and I were with the White House press corps for maybe forty-five minutes.

The last question--and they were very friendly questions, you could tell they had read it, they were insightful questions, and the reporters were enthusiastic--the last question was asked by Ted Fisk of the *New York Times*. He said, "When Sputnik went up, there was a report on the condition of American education, and the report had a series of recommendations for new federal programs to fund this and to fund that. No such recommendations in your report, so why should we take it seriously?"

Ted said, "Well, President Gardner will answer that question." [laughter]

Lage: Good for him.

Gardner: I said, "Well, members of our commission did discuss this at some length, but the fact is, we believe that democracy works. And you will note this is an open letter to the American people. We're writing to the American people. It's our view that if the American people like this report and respond to the report, the government will respond very quickly, and something will happen. Whereas if the government likes it and the people are uncaring, not much will happen. So we'll see what happens." That's the way I put it.

None of this is written down, so as far as history, it's an interesting anecdote. After the press conference, we then received a copy of the president's remarks, which were to be made, I think, at two o'clock that afternoon. May I say they required some work.

Lage: That's putting it nicely.

Gardner: They were off base. It was unbelievable. He obviously--

Lage: He didn't read it--or whoever worked it out didn't read it?

Gardner: No, whoever worked on it was missing the point. So Ted Bell and Craig Fuller, who was the cabinet secretary and a UCLA graduate, who was then the cabinet secretary for President Reagan, later Vice President Bush's chief of staff--

Lage: Had you known him?

Gardner: Well, we had met, Ted introduced me to him before, and he was a UCLA graduate, so we had a lot of things to talk about, and he was a capable and nice fellow. He didn't like the text of the president's remarks, either. Ted and Craig and I worked up until 2:00 p.m. to get it changed. We succeeded.

Lage: You mean working to persuade them to change it?

Gardner: To persuade them to change it. We succeeded, except for one paragraph. To this day I don't know who insisted that it be left in. But at 2:00 p.m. we went into the East Room, and it seemed half the world's press was out there. All of our commissioners were there, the heads of the national education interests were there, and representatives of government, business, and the unions were all there. It was a big gathering. The president was making a big deal of it.

He got up and gave a very nice talk, which sounded quite familiar, I might add, but he left in the one paragraph that we had tried unsuccessfully to get out. It was to the effect that he was pleased to see that the commission had supported his call for abolishing the Department of Education, for enacting tuition tax credits, and for instituting prayer in the school.

Lage: Oh, no!

Gardner: And we had said nothing about any of those things, not even by inference.

Lage: Had that been in the text of the speech?

Gardner: Yes, and we tried to get it out by pointing out that we hadn't included a thing about this in the report. Well, it was left in there anyway.

Well, the press, of course, had read the report, and they knew it wasn't in there. The result was the president got killed in the press. There were cartoons all over the country making fun of his acceptance of this, and editorials lauding the report and condemning the president for having misrepresented it.

Lage: He probably thought the press didn't read it either.

Gardner: He didn't know whether they had or not.

Lage: Oh, you don't think he personally knew.

Gardner: No, he hadn't had a chance to read it at that point and was, therefore, vulnerable to poor staff work.

Lage: So whoever was handling him had inserted that.

Gardner: And did a disservice to the president in that respect. I remember Gerry Holton sitting in the first row, I thought his jaw was going to go right to the floor when he heard that one paragraph. Well, everybody was really quite turned off. I was unhappy too.

Nationwide Acceptance

Gardner: In any event, it was widely covered. Ted and I were on all the evening shows, "Nightline" and "Brinkley" and all that. We were all on those shows. It was covered in ways that none of us could possibly have envisioned. It was reprinted in over 13 million reprints--I don't mean in the published form, but in terms of newspapers all across the country carrying the entire text.

Lage: Because you made it short and readable.

Gardner: Yes, the entire text was republished 13 million times--in the circulation of 13 million papers and/or copies of the report, I'll put it that way. It was also among the largest runs of the government printing office in its history. They ran out, they had to reprint and reprint and reprint. It just went like wildfire across the country. [See appendix for a copy of the full report.]

Bell then arranged for a series I think of twelve regional meetings, where all the key players in these twelve regions of the country would come together and think about how to implement the report's recommendations, how to get school reform going. Subsequently, there were over 300 task forces formed at the local level and state levels to study this report and see how the schools in their respective areas could be improved.

Lage: Because they were all things that could be done easily, it didn't have to be--

Gardner: Oh, no, most of it's done at the local level or state level. The American Federation of Teachers was very supportive; the National Education Association was not.

Lage: What was the issue there?

Gardner: Well, the National Education Association thought the schools were great, so what were we doing criticizing them or offering ideas of our own to improve them?

Lage: You mentioned bringing in nonprofessional teachers to do some science and math teaching, and that caught my eye.

Gardner: Yes, we did, and they didn't like that. There were some things they didn't like. They didn't like merit pay. That's okay, we knew they wouldn't like it. In general, this was unbelievably widely reported and favorably so, so it kicked off a reform movement in the country for the public schools, much to our astonishment.

Lage: You didn't expect this to get much response?

Gardner: No, we did not. We couldn't even have dreamed of it. The regional meetings Bell arranged--ten or eleven of them--went extremely well. In addition to that, the president agreed to visit several high schools, elementary schools, and middle schools, which he did personally, and I accompanied him on several of those.

Meeting with President Reagan

Gardner: A week after the report came out, I got a call from the White House. "Would you be willing to fly with the president to Minnesota? He's visiting a high school there. And en route, we want you to respond to the questions he has about your report." I said, "Sure." So I went back to D.C., got on Air Force One. I thought if I had ten minutes of his time, I would be very lucky.

The minute the plane took off, I was asked in to the president's cabin, and I was there until the plane set down in Minneapolis. It was Craig Fuller, Jim Baker, and the president and I. Bell was in Minnesota setting things up. The president had read the report at this point. He had his questions on legal-sized yellow tablets, two pages worth.

Lage: In his own writing?

Gardner: In his own handwriting. This was his work. We went through the questions, and they were good questions. I answered them as best I could. He liked the answers I gave.

Lage: Do you remember what kind of questions he asked?

Gardner: Well, he was trying to get an interpretation of certain language, or how come you recommended this, or when you say this in terms of the federal government, what do you really mean--about what you would expect.

Lage: Clarifying.

Gardner: Clarifying. At the end of the conversation, he said, "Well," and he kind of laughed, "I see there are three issues which you did not discuss." I laughed too, knowing what was coming. He said, "Prayer in the school, tuition tax credits, and the Department of Education." I said, "Well, that's right, Mr. President, we didn't discuss those." He laughed and he said, "Well, it helped get you publicity." I said, "It did that all right."

He said, "But I would like your views on those. What's your view on tuition tax credits?" I said, "Well, my views don't make much difference, but the point is that if you propose tuition tax credits with this report now being out, instead of affirming your support for public schools, you will be seen as undermining rather than supporting them. That's how it will be perceived. I don't care how you explain it or justify it or rationalize it, that's how it's going to be seen, so I wouldn't recommend it."

Lage: So you were able to advise him that without giving your views about it?

Gardner: That's right. And Jim Baker said, "Dr. Gardner's right."

Then the president said, "I would like your views on the Department of Education." I said, "Well, again, my views don't make that much difference, but you don't have the votes to abolish the Department of Education, nor will you get them. Therefore, you should use the department, just as Secretary Bell used it, to generate constructive advice to you and the people of the country, such as this report. That would be my advice." Baker says, "That's right."

Then he said, "I want your views on prayer in the school." Well, we were just starting our descent into Minneapolis. I said, "Well, I see, Mr. President, we're about to arrive in Minneapolis."

Lage: You're kidding!

Gardner: No, that's exactly what I said.

Lage: You wouldn't give your views!

Gardner: No. He laughed, he said, "Okay, I've got the message."
[laughter]

Lage: That's quite a tale.

Gardner: And he was great at the high school he visited. He was terrific. We went to a high school, and he was very good. It was hot, he took his coat off, and we sat around a table talking with a group of students. He was good, jumped right in and discussed it, and didn't give a big speech or anything. Then we went to a school down in southern California, did the same thing. He was good at this.

Lage: Why weren't those three issues discussed in the report?

Gardner: They didn't go to the issue of quality in the schools. They were tangential issues.

Lage: Were they discussed in terms of whether they should be addressed?

Gardner: No. It never came up, because we didn't think they were germane to our assignment.

Lage: So that was more of a politician's set of questions.

Gardner: Yes, and understandably, because it was on his agenda but not ours.

Now, I should say one other thing. The president gave, I think, fifty-some speeches in the course of eighteen months where he made reference to education and this report. He personally visited several schools. So instead of fighting this, he got back of it. Now, whether this was sincere or political, I don't know. Probably both. But I think he was sincerely interested, and, as we finished our discussion on Air Force One he said, "I like this report, I'm going to go sell it." And I think that was genuine.

The End of the Story

Gardner: Secretary Bell then left at the end of President Reagan's first term; Secretary William Bennett came in. At that time, we had wonderful momentum, we had tremendous momentum underway, all across the country. I had a call from the White House after Secretary Bennett's appointment asking if I would join Secretary Bennett and the president for lunch, so I went back. I called Bill ahead of time, and I said, "You know, it would be useful, as we're both having lunch at the White House, if we might visit for thirty minutes before the luncheon." So we agreed to meet.

I explained what we had done and how we had done it, what Bell had done to push it, and how the president had responded so affirmatively, what was going on in the country, and that we had this momentum, we ought to really keep at it. Our focus here had been principally on the secondary schools, and if we could make real improvement there, then by definition you're going to improve both elementary and higher education as well, and that's where we ought to be focusing our attention. I hoped he saw it the same way.

He said, "No, I don't see it that way. That's Bell's agenda. I am interested in improving higher education." I said, "Well, you know, the president requires staffing on these matters, and if you staff him on higher ed and don't staff him on the schools, our momentum for school reform will just sputter out." "Higher education needs to reform itself," he said in return, "and that's what I'm going to focus on." I'm paraphrasing, but that was the essence of it.

Lage: This is what he said?

Gardner: Yes. And that's what he did.

Lage: So this got dropped as an interest.

Gardner: For all practical purposes. I don't mean he was unfriendly to our report. He referred to it many times in a very favorable way, but his emphasis shifted to higher ed and off of K-12 where Bell had been. Even more than Bennett might have expected, his shift of interest damaged, blunted the momentum that we had, and the president never really got back on it. Higher education came under very severe criticism, as you will recall. That's what happened.

Lage: Yes. The momentum was not--it doesn't sound from what you say that federal funding flowing to the high schools was part of the picture.

Gardner: No.

Lage: It was more of an encouragement--

Gardner: Well, seven cents or eight cents of every dollar spent on education in the United States comes from the federal government, so even if they doubled the federal share, it's only marginal. If you're going to deal with this issue, you're going to have to deal with it at the state and local level, and that's where we focused our attention.

Lage: To get recognition and education of the public?

Gardner: Yes, get it up the domestic agenda, which we surely did. So those are things that have never been shared, and haven't been written, and probably wouldn't be otherwise if not noted in this oral history.

Lage: Very, very interesting. Did you have further dealings with Secretary Bennett?

Gardner: Yes. I disagreed with him on his decision, but that was his prerogative to make.

Lage: So did that mean that Reagan stopped visiting schools?

Gardner: Pretty much.

Lage: Well, that's too bad.

Gardner: Yes, I thought so. It hurt us. And I don't think there's been a corresponding gain in terms of the concerns expressed about higher ed. I think it's just damaged higher ed without a corresponding benefit. But that's a judgment call.

Lage: Had you been as knowledgeable about the state of the--

Gardner: Of K-12? No, not at all. In fact, I said to Ted, "I'm a strange choice to chair this commission."

Lage: Here you are, a higher ed person.

Gardner: "I'm a higher ed person. My faculty appointment is in the School of Education and I do have a teacher's credential, and I student taught and so forth, but the fact is, I'm really a university

person." He said, "That's okay. I need somebody to chair this I can trust to do a proper job. You don't have to be an expert in it. I just need you to chair this to get what we need."

Lage: Did it inform any of your decisions here at the university? Since we are part of a system of education in California.

Gardner: Well, shortly after we issued our report, I came to the University of California. One of the things I did here was to initiate a research effort on K-12 for members of our faculty all across the university, and I put quite a bit of money into that.

Lage: In the departments of education?

Gardner: By and large, but not limited to them. Such that the interest and attention the university would accord K-12 would be increased. We also undertook to mount a leadership program for superintendents and principals at UC Santa Barbara, but it didn't last because of financial problems the schools were having. And thirdly, I did have a meeting with all the deans of the schools of education at the University of California, and only then did I realize that it was the first time they had ever been in the same room together. Which told me a lot.

A brief comment on the consequences of *A Nation at Risk* might usefully be made. The first was the outbreak of study commissions, citizen groups, committees, and other collective efforts to assess the quality of schools throughout the country measured against our report. This was done at the school and district levels and by several states as well. The second was the significant increase in the number and quality of undergraduate students in our colleges and universities who chose to go into teaching. The third was the very significant increase in teacher compensation. The fourth was the fact that students began to take the course of study recommended in our report in far larger numbers than before, and that trend persists even today. And, fifth, it moved the education issues up the domestic political agenda where it needed to be. There were some others but you get the general idea.

My view has always been that if it took us twenty-plus years to suffer a decline in the quality of schooling in America, it will take at least that long to recover. Patience and persistence are required. *A Nation at Risk* merely got us started down that path.

Lage: Okay. I think this is a good place to break, unless there's anything else to wind up your Utah experience.

Gardner: Let me think. Well, to finish up Utah, I felt as though it was an ideal position, because it was on campus, I was interacting with all the parts of the university community, both on and off campus. I only had one campus to concern myself with. It was a small enough state you could get your hands around the issues. The students and faculty and staff were really quite wonderful people. Some notable exceptions, but they're clearly exceptions. We had momentum, faculty salaries were very competitive, we were recruiting faculty out of the University of California and others like it, strengthening and adding to our academic program, building and growing, as I've mentioned before, and I felt really good about that. So that was an experience that was one of the highlights of my life, indeed, it was for the whole family.

VIII APPOINTMENT AS PRESIDENT, UNIVERSITY OF CALIFORNIA, 1983

[Interview 5: October 25, 1995]##

The Appointment and Negotiation Process**Background**

Lage: We're going to begin looking at the years of your presidency today. I think the first thing to start with is how you were appointed. Do you want to talk about that?

Gardner: Yes, I'll do that as briefly as I can but still respond to your question.

I read of David Saxon's decision to step down as UC's president, I believe, in September of 1982. Libby, of course, noticed this as well, and said, "Well, having turned it down in 1975, it's unlikely they'll be including you within the search." I said, "That's probably right," so I didn't pay any attention to it.

Then I started getting phone calls from friends within the University of California indicating they had heard I was going to be considered. I said, "I've heard nothing." "Well, do you want us to write a supporting letter?" I said, "No." "Do you want us to call?" I said, "No, I don't want you to do anything."

Lage: Why?

Gardner: Because it's not a position, in my view, that one should seek. I did not choose to seek it.

Lage: Is that the usual attitude?

Gardner: Well, that's my attitude. Because when one seeks it, one engages the help and support of others who will always call in the chips. In the event the position came to me and I accepted, I wanted to be indebted to no one.

Lage: I see.

Gardner: Moreover, I wanted no pressure on the board in my behalf. If they wanted to consider me, they should do so free of any effort on my part to capture their support, indirectly or otherwise. That was my view. I never made a single phone call in my behalf. This had been my practice whenever I was under consideration for a presidency.

Lage: Nor did you ask others.

Gardner: Nor did I ask anyone else to do so. Indeed, I asked them not to do so.

Lage: But you didn't say you weren't interested.

Gardner: I didn't say I was or was not. Because at that point, I was very happy at the University of Utah. Things had gone extremely well, as I've already noted in our earlier discussions. We were happy there. I had nothing driving me out, nothing pushing me out. I had also had a number of other opportunities over the years, none of which I really chose to pursue.

Lage: Do you mean you had other offers?

Gardner: Yes. Like USC [University of Southern California]. About every six months, something would come along. The USC offer was widely reported in the *L.A. Times*. I believe this was late 1979, early 1980. I was offered that position, and I appreciated it and so forth, but chose not to go. And that was true of other universities around the country. So I had had opportunities to accept other positions of consequence that I had seriously considered but had not accepted, because we were very happy at Utah and were making a lot of progress there.

Therefore, whether I would want to look at UC or not was an open question in my own mind. And that was another reason that I thought, quite apart from my own idiosyncratic view of this, that I didn't want anybody pushing for me, because I wasn't at all sure I wished to take it, even if it were offered. That was the way I looked at it.

Interview by the Regents Search Committee

Lage: So what was the process, then?

Gardner: I was then contacted by the search committee at a very late stage in their search, in early 1983 I believe. There were three or four candidates under active consideration at the time I was approached. I did not know who they were. I did not wish to know who the other ones were. I made no effort to determine who the other ones were. When I was called, however, by Bonnie Smotony, who was secretary of the Regents and was setting up the interviews, I asked how many candidates remained in the pool. I mean, if I was one of twenty, or one of ten, or one of five, that was information I did want to have. Beyond that, I didn't want to have any information.

Well, I forget what she said--it was three or four, five, I think. I forget what it was. Not very many. Therefore, I knew they were serious about the remaining candidates, of whom I was one.

Libby and I talked about it at some length. She felt that because I had turned it down once before, partly in consideration of the University of Utah, partly in consideration of the family, that I had by then served ten years at the University of Utah and in her own mind had met my responsibilities there, and that the family had kept me in Utah once, and this time, I ought to be free to consider it in California, if I wished to do so. She thought at least I should go talk with them. She wasn't urging me one way or another. In fact, I didn't really know what she thought.

Lage: [laughs] She must have been very diplomatic.

Gardner: She was. I did not really know what she thought, and I think that was deliberate on her part, because she didn't want to serve as a prod or a constraint, as it were. Thus, I accepted the search committee's invitation to interview.

I had a very interesting meeting with the search committee. It was in Los Angeles near to the L.A. Airport.

Lage: Who was on that committee?

Gardner: Regent Dean Watkins chaired it, I believe. The Regents could give you that list, the secretary would, but I know it included Regent [Glenn] Campbell, Regent [Frank W., Jr.] Clark, Regent

[Harold M.] Williams, Regent [Stanley K.] Sheinbaum, Regent
[Vilma S.] Martinez--

Lage: That's a large group.

Gardner: Yes. There were two or three others. I don't wish to rely on my memory, so--

Lage: Okay. We can check that out.

Gardner: You can check it out. And it was in--I forget which hotel near the Los Angeles Airport.

So I went in. It was about a three-hour interview. At that point, I wasn't sure whether I wanted the position or not. But as you know, I'm pretty straightforward. I didn't know the others who were being considered, how this board had broken out in terms of its support for or opposition to various candidates. I knew none of that, nor had I sought to determine the answers to those and related questions. I really went in quite cold. Just as well, actually. But I went in quite uninformed about the status of the search.

The first question asked of me was by Regent [Edward W.] Carter, which was, "Well, you're a Mormon, aren't you?" I said, "Yes." There was then an awkward pause as I did not intend to elaborate my answer, and Ed was obviously waiting for me to do so. Following that, Regent Martinez asked a question. I later became quite good personal friends with her and have had occasion to work with her in a number of capacities since. She later served as chairperson of the board, and she did an excellent job. We got along very well. But she asked, "What is your position on the ERA?"--the Equal Rights Amendment for women.

I thought to myself, I might just as well get my relations with the committee, and indirectly the board, straight from the outset. That's what I thought to myself. So I said something to the effect that, "Neither one of your first two questions is really permissible, either as a matter of possible religious discrimination, or the application of a political test for appointment to the presidency of the University of California. So I'm not going to answer that question. I assume you're not going to be applying a political test for the appointment of the University of California's next president."

She was quite taken aback. There was an audible gasp from the regents. So I said to her, "Why don't you rephrase the question? Why don't you ask me not what my views are of the ERA, which is a piece of legislation now pending before the states,

but what is my view about the opportunities and rights women should have? What's my view about the opportunities they should have for education and for employment? Why don't you ask me those and related questions? Please don't ask me the question the way you asked it."

She said, "Well, all right. What's your answer to those questions?" I said in response that I believed women should have the same freedom over their lives, with respect to both personal and professional opportunities and choices, as men do, and the law should not impede the free exercise of that discretion. That was my view of it.

"Well, that's a good answer. That's okay with me," she said.

Lage: [laughs] So she didn't take offense--

Gardner: No, no, she liked the answer and thought that was fair enough.

Well, that exchange made it clear I was not importuning them for the job. It was also clear that I was not one who would be accommodating questions that were impermissible under law or custom, and that I was what I am, which is a pretty straightforward person. And it helped the rest of our conversation a great deal.

Then we had the usual interview, the usual, "What would you do if this, and what would you do if that, and what's your view of this," and so forth. It's hardly worth recording; it's the usual stuff.

Lage: Nothing that gave you a sense of what they wanted?

Gardner: No, no, the usual stuff.

I could tell that some of the regents were very supportive and others were more reluctant, and it divided on ideological grounds. The conservative members were much more supportive than the liberal members of the board. That was crystal-clear to me. But that was their concern, not mine. So at the end of the interview, nearly three hours, Regent Carter said--and I came to know him very well; I knew him before, and we were friends--he said, "Well, are there any peculiarities or characteristics in your administrative style that we need to know about that we haven't asked you about?"

I said, "Well, yes, there is. You need to know that in an absolute conflict between my professional life and my personal

life, I do not intend to subordinate my personal life. So you need to know that."

"What do you mean by that?" he said. And then I gave him the example of how we managed to--at least tried to--balance our professional and personal lives while we were at the University of Utah. Not more than two nights out in a row and no work-related obligations on Sundays. So I gave that as an illustration, as an example.

He said, "Well, that was fine for Utah. It is a one-campus university, smaller than most of ours. It's in a small state. California is a huge state, 30 million people, nine campuses. You can't do that here." I remember thinking, Should I say this or not? Then I did, and I said, "Well, if you really believe that, then you should not be interviewing me for this position. You should be interviewing someone else for this position."

There was a stunned silence. And I meant it, I was serious. Then, I think it was Regent Clark who said, "Ed, why are we asking him these questions? If we hire him or anyone else, how the president does his or her job is the president's business. Our only concern is that the job gets done. We don't care how he does it."

Lage: Or when.

Gardner: Or when. "It's that person's business. If the job gets done, great; if it doesn't get done, we fire him."

Lage: This is all in front of you?

Gardner: This is in front of everybody. He said, "Isn't that right, Dave?" I said, "That's exactly right." And that ended that, and that was the end of the discussion.

Lage: So that was the end of the interview?

Gardner: That was the end of the interview.

Lage: Were there other interviews subsequent to that?

Gardner: No, that was it. Just one.

The Offer, and the Decision to Take the Job

Lage: And then the offer came through?

Gardner: Yes. They called me.

Lage: But you didn't meet in front of the entire board?

Gardner: Not at that time. The chairman of the search committee--I think it was Dean Watkins--called me and said, "The search committee intends to recommend your name to the full board. Are you willing for it to go ahead? We need to know by tomorrow."

Lage: And had you thought it through by then?

Gardner: I had been thinking it through, but I had not yet made my mind up, not because of anything at the interview. That went about the way I had expected. But because of my desire to take all the factors into account. That night, we sat down with our daughters, Libby and I, and we talked it through, and we discussed it. We decided that if the Regents offered me the position, then I should accept it.

Lage: And are there things we should know about that fed into that decision? Were you thinking of what was going on at the university, or mainly your own family and their needs and concerns?

Gardner: Well, I knew what was going on at the university; that was not a big mystery. I had a pretty good sense of the professional challenge. But I wanted to make sure about the personal and family aspects of it, which I did that evening, and it was okay. Everybody was very supportive. We had two daughters who were in college. We had one who was going into her senior year of high school and one into the ninth grade.

Lage: That's a hard time.

Gardner: It's a terrible time for the one going into her senior year. And one who was going into the ninth grade, which wasn't so bad. We talked with the daughter who was going into her senior year of high school--that was Lisa--and we said, "You're welcome to stay here, you can stay at my sister's house, you can stay at your friends', you can finish up your senior year. You can come with us. Or, you can come with us and if you don't like it, you can come back." She said, "No, no, I'd like to come down and try it." She had quite a positive attitude about it. In any event,

everyone was very supportive, so I called back the next day and indicated that I would be willing to have my name go forward.

The Compensation Issue

Gardner: Then a series of discussions ensued with respect to compensation. I wish to emphasize that these were at the Regents' initiative. They were very interesting. President Saxon, for reasons that he thought to be appropriate, had held his salary down. He had been unwilling to take salary adjustments for several years, or if there were adjustments, they were quite nominal.

Lage: And did that mean that all of his staff did the same?

Gardner: Yes, exactly the point. Everyone was affected by that decision. Not only was the faculty's salary, on average, 14 percent below the average of comparison institutions--I don't mean that because Dave Saxon kept his salary down, that made the faculty salary lower; I don't mean that. But the times were hard, and they were going through a difficult financial period, and the result was the faculty salaries were down 14 percent. It was the same for the administration, even further than that, in terms of their market. The chancellors had been held back, the vice presidents held back, and the president chose to hold himself back.

This was called out to me by Dean Watkins, who was chairman of the subcommittee for officers' salaries. He worked through Don [Donald] Reidhaar, who was the university's general counsel, in discussing compensation arrangements with me.

At the University of Utah, if you totalled my annual salary and benefits and my deferred compensation and so forth, it was about \$140,000. When I was discussing with the [UC] Regents, they never asked what my situation was at Utah. They said they had completed a study of comparison institutions, and they had decided to pay the new president not \$95,000 or \$97,000, which Dave Saxon had been making, but \$150,000.

Lage: That was the salary?

Gardner: That was the salary only; there was some deferred compensation on top of that, the usual benefits, and so forth. I said, "That's a big jump in terms of base pay from where Dave Saxon had been, and that's going to be a political problem in California. I think you pegged it about right, but there's going to be a problem." He said, "We know that, and we just have to deal with it, because

we're just way off market. We have to get everybody up or we're going to start losing people. We can't attract people here now."

I said, "Do you prefer to do it in stages and phases?" "No, that's where we're going to peg it." I said, "That puts me right on point." He said, "That's right, you're on point, but that's where we are." I said, "Will I be backed up when there's a problem?" He said, "Yes. It's all been discussed, everybody's aboard."

Lage: This was Dean Watkins and his subcommittee?

Gardner: Yes, this was Dean, whom I both knew, respected, and trusted. I said, "Well, okay. It's going to be a problem, but that's okay with me, that will be fine with me." It was almost a lateral transfer for me, as to compensation, from Utah to California, even though to the press it appeared to be a big compensation jump as they tended to compare my new UC salary with Dave Saxon's old one, not with my old one at Utah or the job market for persons doing this work nationally.

Lage: Even though the job was certainly much bigger.

Gardner: Yes. But that's okay, that's all right. So I said, "Fine."

##

Gardner: There was one item I neglected to mention last week. When I indicated that the Regents had decided to put me on point with respect to salary and compensation--

Lage: On point?

Gardner: On point, as it were. It's a military term: you're out there on your own.

Lage: Oh, in terms of putting your salary quite a bit above Saxon's.

Gardner: Right, making me vulnerable in that sense. I indicated, as I mentioned last time we visited, that I thought there would be trouble with that. Well, there was, and I neglected to mention the trouble that ensued. The jump from the salary being paid Dave Saxon to the one that was being fixed for me by the Regents was roughly \$97,000, I think, to \$150,000. That was a big jump, and I worried about it, as I've already mentioned.

What happened was that this matter caught the attention of several legislators who introduced a resolution, which is not binding; that is, it is an expression of legislative will, that

the Regents reconsider and reduce the salary. This resolution was then put to the legislature.

Lage: Do you recall who introduced it?

Gardner: No, I don't recall. I didn't know the person in any event. Steve Arditti, who was our legislative representative at the time, called me in Salt Lake City to advise me in this, and I said, "Well, Steve, what is the probability of your defeating this motion?" "Not so good," he said. I said, "Fine. I know you'll do the best you can, but you need to know that if it's enacted, I'm not coming."

He was nonplussed. I said, "You can share this with the president as well, if you'd like. I'm not coming if it's enacted, because if it is enacted, and I come, and the Regents do not reduce the salary, there will be resentments on the part of the legislature, and this will become a larger rather than a smaller issue. And every subsequent defeat in the legislature, every later cut in the budget, will be then ascribed to this matter, and I'll be forever on the defensive with respect to all of these issues. I'm quite happy here at the University of Utah; I don't need that."

Lage: That would have put you in a terrible position.

Gardner: It would have, so I was not willing to be put in that position.

Well, over a period of weeks, difficult weeks, Steve did manage, with the help of some friends in the legislature, to get it defeated.

Lage: You make it sound as if the legislature felt fairly strongly about it, that it took a lot of work to get it defeated.

Gardner: Some did. I don't know, really, how much work was involved in that. I think he worked mostly with the people who were supporting it, not wishing to run any risk in the larger vote of the legislature in general. And I don't know the particulars, but in any event, it was defeated. But they struggled a bit with it.

Lage: Interesting. Now, when you were offered the job, if you had been offered it at David Saxon's salary or slightly above, would you have taken it?

Gardner: No, I would not have done that, because it would not have afforded me the latitude and discretion that I felt we

desperately needed to provide relief with respect to salaries all across the university, faculty, staff, and administration.

Lage: So you saw it as necessary to hire people under you and--

Gardner: Yes, to keep them and hire them. Without any question. There is a market out there.

Lage: That's true.

Gardner: People are not obliged to work in a particular place. We're not slaves, you know. And besides, it would have been a very significant reduction in my total compensation and I had four daughters to educate and a family who counted on me. And the cost of living in California was much higher than in Utah.

Lage: During this time, were university salaries nationwide going up, administrative salaries?

Gardner: Yes, they were moving up. Not dramatically, but they were moving up. In fact, they had already moved up, faculty and administrative salaries alike, and well beyond UC's then salary schedules. And just as with faculty salaries and with student fees, there's a market to which you repair for guidance. In that respect, the University of California compensation was in the lowest quartile.

Lage: Of its sister institutions?

Gardner: Yes, of its comparison institutions. Lowest quartile, and declining.

Blake House, and the Housing Allowance Issue

Gardner: Then he [Dean Watkins] said, "I understand you prefer not to live in Blake House." I said, "That's right, because Libby and I had been down to look at it when I was visiting, and it's in a state of significant disrepair. Every time it rains, everyone runs around putting buckets out to catch the water."

Lage: Had Saxon lived there?

Gardner: Yes, he was living there at the time. And it was hard for Dave, because the budgets had been terrible. He really hadn't wanted to spend any money in ways that were thought to be more personal than professional, so he withheld expenditures on Blake House

that otherwise, I think, in more normal times would have been made for the house. So the house wasn't in great shape.

We knew that the repairs on the house would take several months. Libby said, "You know, I really don't want to be there every day for several months with workmen all over the place." Secondly, we had two daughters still at home, one going to be a senior, one going into her ninth grade. We wanted to have as normal an environment for them as we could possibly get. Moreover, Blake House is quite isolating. It's on ten acres, so there's no neighbors in that sense.

Lage: The Carmelite Monastery.

Gardner: [laughs] Well, the Carmelite Monastery next door--they don't have a lot to say.

So for a lot of reasons, we decided to live a more normal life and buy our own house, which we did in Orinda, and then use Blake House for receptions, dinners, lunches, breakfasts, for entertaining or meetings of one kind or another, for hosting this or for that. We just wouldn't sleep there. That's the way I put it.

I indicated to Dean Watkins that that was our view of Blake House. He said, "Well, that could be a problem." I said, "Why do people care where I live?" He said, "Well, there's the symbolism of the president's house and so forth." So we discussed that, and I said, "That's right. I take account of that, but it's not as though we won't be using it. We'll be using it a lot. We just won't be sleeping there."

Lage: Kerr hadn't lived there.

Gardner: No, Kerr had not, but Charlie Hitch had.

Lage: Was Hitch the first?

Gardner: Hitch was the first one. Kerr had lived at home in Kensington, just up the Arlington from Blake House. Glenn Seaborg had lived at home as Berkeley's chancellor, and so forth. So there was ample precedent for this. But Dean said he thought the Regents would want us to live there. I said, "Well, you need to find out if this is going to be a condition or not before you send my name forward, so please do that."

Lage: All this was discussed before your name went forth?

Gardner: Oh, yes.

He came back to me in a few days and said, "It's not a condition, but it's their clear preference that you live there." I said, "Well, we're not going to live there, so is that going to be a problem or not?" "No, no, it's okay. It's not sufficient to overturn our sending your name forward." So, "Okay."

Dave Saxon was, I think, unhappy that we chose not to live there. He had lived there, and I think it was okay but not wonderful for them. In any event, for reasons that are not altogether clear to me even now, he thought we should live there as well. And I can understand that, but in terms of our view of the world, we didn't choose to do that.

Lage: You were in a different place with your children.

Gardner: We were in a different place with our children. So that's how we dealt with it.

I was invited down to Berkeley to meet the Regents. Their meeting was scheduled, I think, late morning. I had a breakfast meeting with the full board for maybe an hour and a half, two hours. They had a lot of questions. I responded to them.

Lage: Is this kind of thing open or closed?

Gardner: No, this was a closed meeting. It was at University Hall, and all the regents were there, and I responded to their questions as best I could. They then went into the regular meeting of the board, and they discussed my appointment. To this day, I don't know what went on.

When it was over, Dean Watkins came out and said, "You've been elected president. Congratulations." I said, "Well, before I shake your hand, I'd like to know the answer to two questions. The first question is, what was the vote? I don't mean the second vote; I mean the first vote." Because I wanted to be sure I didn't have a fifteen-to-fourteen vote or something like that.

He said, "No, it was virtually unanimous on the first ballot. We had a lot of discussion, but when we took the vote, almost everybody was aboard." Okay.

Then I said, "And your view of Blake House? That's the second question." He said, "It's the decided preference of the board that you live in Blake House." I said, "Is it a condition of my appointment?" "No." "Is it an implied condition of my appointment?" "No." "Okay," and I shook his hand.

Lage: I'm surprised it was that important an issue.

Gardner: It was.

Lage: Did it surprise you that it was that important?

Gardner: It did, yes.

Lage: It wasn't a money issue?

Gardner: No, it was not a money issue at all. So that's what happened, and I was then appointed.

Now, one other thing I should say: in Salt Lake City, we owned our own home, and we received a housing allowance to help pay for it. I will describe this arrangement in detail later in the interview, when we discuss the last six months of my administration.

Lage: Was the housing allowance part of your employment package?

Gardner: Part of the employment package. Now, the Salt Lake housing market was not the California market in 1983, so we knew that we would be coming from our home in Salt Lake, which had cost us \$100,000-something, to a home in Orinda which would cost us around \$550,000. That's a huge jump in the equity we would have to be building in a home.

As part of my negotiations with the board, I indicated that the compensation move was essentially a lateral move, within \$10,000, \$15,000 per year, and that it didn't take account of the housing allowance we were receiving in Utah or the dramatic differential in housing and living costs between California and Utah. So they agreed to duplicate in California what the Regents of the University of Utah had arranged for us in Salt Lake City, the same. They loaned us money to buy it, at the same rate of interest I was paying in Utah, same terms, everything else. We just transferred the housing arrangement from Utah to California, to our home in Orinda.

Lage: I know the fact that this comes up later is why we're discussing it now.

Gardner: That's exactly right.

Lage: Was it part of the public record at that time?

Gardner: It was all publicized at that time. All of it. Our decision not to live in Blake House was publicized. In fact, the decision was criticized in some of the newspaper accounts. The *Sacramento Bee* had a big article on Blake House, and that we had chosen not to

live there because it was too small for us. Can you believe that? [laughter] I mean, it was too large for us. In any event, the representation was that it was too small, and therefore we had bought an even larger mansion some other place. The square footage of our house in Orinda was 3,100 square feet; Blake House was 8,000 or 9,000, I forget what it is. Typical of the reporting, I might add, on all these and related matters.

Shortly after the *Sacramento Bee* ran a big pictorial article on Blake House. It was burglarized within a week of that article having appeared. I had taken my post on August 1 and was commuting weekends to Salt Lake. This appeared sometime in August. I had no sooner left Blake House--it was being staked out, obviously--than people came in and stole all the nice things there, everything they reported in such detail in the newspaper.

Lage: Oh, no!

Gardner: They had gone up into the room where I had been sleeping and taken things. And I was alone in this big house. I didn't like that too much.

In any event, this was all reported: the Blake House arrangement was reported, my compensation was reported, the housing arrangement was reported in full, as was the loan. Nothing was not reported except how other university presidents doing roughly the same work were being compensated. To report that, of course, would have taken the steam out of the local reporting of my compensation. Why should I have been surprised?

Lage: And there was some discussion about it?

Gardner: Some discussion, but not a big deal. Although the \$150,000 did create a temporary problem in the legislature, as I have noted.

Lage: And this made you the highest-paid state employee?

Gardner: No, there were several professors in UC's medical schools that made a lot more than that. But in terms of administrative people, yes, it was the highest. This appointment was in March of 1983, and I was to take office August 1, 1983.

The Transition Process

Gardner: Two weeks after I was appointed, someone sent up to Salt Lake City the *L.A. Times* article for that morning, where it was

reported that the state was broke and that it was going to be paying in IOUs. I turned to Libby, and I said laughingly, "What have we done? I knew it was bad, but not that bad." Anyway, that was my introduction.

Then I made several trips between March and August, meeting with vice presidents, chancellors, some regents, and some legislators, trying to get a sense of the lay of the land. I met with Saxon in the course of some but not all of those visits.

Lage: Was there a formal transition with Saxon?

Gardner: No, there was no formal transition.

Lage: Is there a reason for that?

Gardner: It never occurred to me that there should be a formal transition, nor did it occur to him. We talked about what we needed to talk about, and I had known Dave for a long time, and we were friends.

Lage: Now, you said earlier today that you knew the situation in California.

Gardner: Well, I followed it and knew the situation reasonably well, but I didn't know it intimately.

Lage: But you did sort of keep an eye on things.

Gardner: Yes, I knew pretty well what was going on. It was not a big mystery. And I had only been gone ten years, so I still knew a lot of people, fortunately. That was an enormous help. I knew how the university worked, I knew its culture, I knew its history, I knew the issues. I knew many of the key players, and I knew about half of the board. So that helped a lot.

Meeting with the California Legislature's Black and Hispanic Caucuses

Gardner: During the transition, when I was back and forth, I received a call from Speaker [Willie L., Jr.] Brown's office asking if I would be willing to meet with the speaker and the Black and Hispanic caucuses of both houses of the California legislature. I said, "Sure, I'll be happy to do that." I knew before I hung the phone up why they were asking to see me. They were concerned about my being a member of the Mormon Church with respect to

issues of minorities and women. That's what they were interested in, although they didn't say so explicitly.

Lage: Did you think this was appropriate?

Gardner: That's okay, didn't bother me. I knew they were interested, and actually, I thought, I'm glad they called, because it gives me a chance to meet with them. Thus, I wouldn't have to do it individually, so that's okay with me. Dave Saxon very kindly agreed to set it up and accompanied me to Sacramento. He did not accompany me to the meeting, but he accompanied me to Sacramento.

I met with them in the speaker's conference room, I forget what time it was. Most of them were there. Elihu Harris, who was then an assemblyman from Oakland and is now mayor of Oakland and a person I like a lot, and we came to know each other pretty well, was the designated hitter. He had a four- or five-page statement that he then started to read.

He got through the first page, page and a half, and I knew what the other pages were going to say. They were all dancing around the issue and using language and issues that were calculated not to be overly direct or to offend me, but trying to find out what my views were.

I interrupted him. I said, "Well, Mr. Harris, I don't know you and I don't know most of the people around the table, but I know why I'm here. I'm here because of my religious affiliation, and you're concerned as to the impact it may have on affirmative action programs at the University of California, on the opportunities for employment of women and minorities, admissions, and so forth. That's why you're concerned about my appointment. You would not have called me otherwise. So why don't you just give me a copy of what Mr. Harris has started to read--I already have a pretty good idea what's in it. I will read it. He needn't read it to me. We have only a short time here. Let's talk about why I'm here and what your concerns are."

Well, they all said, "That's right, that's why you are here." And we then had a very good discussion.

Lage: How large a group was it? I'm trying to envision what this setting was.

Gardner: Oh, maybe fifteen.

Lage: And was it a friendly feeling, or did you feel hostility?

Gardner: It was proper. My comment loosened it up, and afterwards we had a very good discussion. One of them said something about one of my comments, "Well, easy for you to say." I said, "I'm not asking you to only listen to what I have to say. I would suggest you examine my record, and draw what any inferences or conclusions you wish from my record. Start at Santa Barbara and work it through. You have a fifteen-year record there, and I'll help you identify sources if you'd like." Well, it went really well. I never heard another word, not another word.

One of the senators who was there, on the way out, met with Steve Arditti, who was our legislative representative there, and said to him, "You know, Steve, for the first time, I find myself being in the position of a bigot." [laughter] "Attending this meeting with these preconceptions about Gardner, I really feel badly about it."

Lage: That's very interesting.

Gardner: Isn't that interesting, yes. So I was very glad to have that opportunity. I thought it went reasonably well, and it helped introduce me to this group of legislators with whom I later got along quite well.

Lage: You were able, it seems, to always move the discussion away from the religious tenets.

Gardner: Yes. It's easy, because they don't care what the tenets are, they want to know what I'm going to do. So that was easy.

Lage: Which is proper.

Gardner: Which is proper, that's exactly right. So that was my introduction to the state legislature.

Meetings with Legislative Leaders and University Administrators

Gardner: Then John Garamendi, who was then the majority leader in the state senate, had a luncheon for all the leadership of the legislature in his office, which was very nice of him. I met all of them. That got me off, I think, to a pretty good start with the legislature.

Lage: And in this case, what were they questioning you about?

Gardner: Not the issues this other group was, but just policy issues of interest to them, and how was I going to deal with this or that. I said, "I don't know. This is what I think. What advice do you have for me?" So we had a good conversation.

Lage: Good. This was all before you actually took office?

Gardner: Oh, yes, this is all well before I took office.

Then I met with all the vice presidents, trying to take the measure of them, both as individuals and how I might also, in terms of the chemistry, get along with them, because unlike Utah, where I had too many vice presidents and consolidated it, there weren't that many at the University of California, but I thought I would consolidate some of it.

Lage: I brought you--[pulls out list of UC administration]

Gardner: You have it, good.

Lage: This is '80-'81. It looks like a lot more officers than you had later.

Gardner: Oh, yes. I cut back on the number.

Lage: I don't know if there are more vice presidents, but more--

Gardner: [looking at list] Well, you had the vice president, and then one for academic affairs, academic--that's [counting] six vice presidents, and a lot of assistants. So I didn't have quite the same problem I had at Utah. I thought generally speaking, the organization was pretty good. I didn't find a lot of fault with it, but I wanted to tighten it up a little and reduce our central administrative costs, at least as a means of signalling my intention not to overdo it there. Those meetings went on for a period of three or four months so that by the time I took office, I had a pretty good idea of who the people were and how I related to them, but I was not sure of how to organize it.

Taking Office, August 1, 1983, and Administrative Restructuring

Gardner: I chose August 1 as my start date, because that's a dead month in many ways, and I wanted to have a dead month to get started before the fall term began and so forth. I spent all that month basically meeting with people, getting their advice, seeking their counsel. A lot of people sought me out.

Lage: At what levels were you meeting?

Gardner: Vice presidents, assistant vice presidents, chancellors--anybody who could help me. As the month went on, I had a pretty good sense of what I wanted to do. I wanted to take my organization plans and personnel actions to the Regents at their September meeting. I didn't want to wait until October, I wanted to do it right away.

Lage: Do they approve administrative reorganization?

Gardner: Not the reorganization; they had to make the appointments.

Lage: Of the senior vice presidents?

Gardner: I could organize it any way I wanted; they didn't care about that. But they have the authority to make the appointments: title, position, salary, and so forth. So obviously, indirectly they control it.

Lage: How far down do they have that authority?

Gardner: Officers of the university. That's the president and vice presidents, chancellors and vice chancellors, principal officers of the Regents, and the directors of the three national laboratories managed by UC for the U.S. government.

Lage: Is there a tradition of noninterference in those appointments?

Gardner: Generally, yes. They shouldn't interfere, and I think they have not. They did not with me, in any event, and I don't think they interfered with any of my predecessors either. At least not to my knowledge.

I was prepared to go to the September meeting with the changes. Bill [William R.] Frazer, who under Dave Saxon was the academic vice president, I made the senior vice president for academic affairs. I put into that office all of the functions he already had, plus the functions of the office of the vice president for academic and staff personnel relations. So I consolidated, not completely, but most of those two offices. That cut down on one vice president.

I then appointed a senior vice president for administration, so I had two senior vice presidents, one for academic affairs and one for administration. That was Ron Brady.

Lage: And he had been an employee?

Gardner: He was already there as the one responsible for the financial end of things, the controller, the auditor, the management systems, things like that.

Lage: So this was quite a broadening of his responsibilities.

Gardner: It was a broadening of his responsibilities, yes. It included all of business, finance, and personnel, basically. He was asked to serve then as the second senior vice president.

Then I confirmed Jim Kendrick in his position as the vice president for agriculture and natural resources, but changed some of the functions and the title.

Lage: He had been given the title of university services which seems to me was the press and sort of some things unrelated to his usual expertise.

Gardner: Yes, quite unrelated, so I stripped those away and asked him to be vice president for agriculture and natural resources, and made it a more coherent set of functions within his office. I had known Jim before when I was in University Hall, and liked him a lot, and was glad that was he was there. He was a big help.

I eliminated the office of the vice president of the university.

Lage: What was your thinking there?

Gardner: I didn't want a number-two person. I wanted two number-two people, one for administration and one for academics. Because if I had one vice president, whatever you want to call the person, that individual either had to be principally an academic or not an academic. Well, obviously, faced with a choice, you would appoint an academic, but most academics aren't conversant with the business and financial end of the operation, and not overly well prepared to deal with them. UC is a large enterprise. I wanted to have somebody who was really competent in that area reporting to me, as well as having my chief academic officer reporting to me.

Lage: Makes sense.

Gardner: Yes. That worked out fine. So that was two vice presidencies that I eliminated.

Then I made a new vice presidency for health affairs, promoting Con [Cornelius L.] Hopper, who'd been a special assistant to the president for health affairs, and I made it a

vice presidency because that person was responsible for coordinating all of the health professional schools and all the hospitals. It's a huge operation; it's a billion-dollar operation.

Lage: And a troublesome one, it seems.

Gardner: And some of our hospitals were in the red at that point, so I wanted to bring that person up to a level where he would be participating in Regents' meetings, participating in the cabinet, a full member of my team. So I asked Con to serve in that role. I dropped two vice presidencies and added one, so that's a net loss of one.

Then there was a vice president for budget and plans. I changed that dramatically, and I promoted Bill [William B.] Baker, who was the budget officer for the university. His new title was vice president for budget and university relations. And everybody thought, "That is a strange title."

Lage: This is public relations?

Gardner: Yes, it's relations with alumni, handling the president's obligations in development--which are not too great, mostly done at the campuses, of course--press relations, governmental relations, relations in Sacramento, relations in the Congress, as well as the budget. People wondered, Why are you doing that? Well, I wanted the budget officer not only to be recommending the budget to me, but recommending one that he or she thought they could get. That's one point. It acted as a sobering restraint on their proposals to me.

Secondly, governmental relations by and large involves budget, so I wanted the person who was up there handling governmental relations for us to be intimately acquainted with the budget. That had not always been the case. And this way, there was built-in coordination between those two offices. Moreover, much of the press' interest in the university bears upon our governmental relations, budget and so forth, and that person then is in an ideal position to explain it to the press. So I combined those two positions. It's very atypical.

Lage: It sounds like quite a creative combination.

Gardner: I think Bill Baker really wondered about it himself.

Lage: Oh, really? It wasn't his idea?

Gardner: No, not his idea at all, and he later came to think it was a good idea, but not at first.

Ron Brady, Senior Vice President for Administration

Lage: Now, how did you know--for instance, let's pick Ron Brady, because he becomes a controversial figure.

Gardner: Yes, he does.

Lage: How did you know you wanted him in that job? What was there about him that you liked?

Gardner: He was smart. He was also experienced, seasoned, mature and tough. He was also very creative.

Lage: Where had he been before UC? He hadn't been there that long.

Gardner: No, he had been at University of Illinois for years. Worked with Chancellor Peltason there.

Lage: So he came out of a university environment.

Gardner: Oh, yes, and he had been at Syracuse University before that. He had been at universities almost all of his life.

Lage: Did he come forth with creative ideas when you talked to him?

Gardner: All the time, all the time. He was a person who solved problems for me.

I knew he was not a people person. He's not. Although I thought his qualities in that respect were misjudged to a considerable extent--perfectly clear that he tended to be a little impatient with people who were not on the ball themselves. He could be abrupt; he could be very tough. I talked to him about it sometimes, but you know, that's the way he was. But he solved problems for me, and he found solutions when nobody else came up with the answers, including myself.

Lage: Is there an example, or will one come up later, of a solution that he would have come up with?

Gardner: Well, just constantly. Just constantly.

Lage: Little and big?

Gardner: Major problems concerned with university policies of one kind or another, he would find a way out of it. Or, when we were discussing an issue that Bill Baker would raise in cabinet, and we would be discussing problems with the legislation, Ron would say, "Why don't you do this?" Nobody else had thought of it, and there was the answer. So he was--

Lage: A problem-solver.

Gardner: He was a problem-solver. And I needed a problem-solver.

Lage: How about your personal relations with him?

Gardner: They were fine. Now, we were very different people. We didn't really socialize outside the office, but I respected him, and I think he respected me, and we each did our job. I had to pull him in occasionally. If there was a vacuum, he tended to fill it, and I had to pull him back sometimes. Other times, he needed to fill it. But we got along very well, we were straightforward. If he thought I was on the wrong track, he would tell me. And if I thought he was wrong, I would tell him.

Lage: Did he take well to that kind of thing?

Gardner: He did, never had a problem. He would say, "Oh, yeah, I hadn't thought about that."

Lage: Sometimes with people who have a lot of creative ideas, their bad ideas come floating forth also.

Gardner: They can. Well, I had a little more common sense than he did in some respects. I would stop some of that. But he did, too. I remember one day we were in a cabinet meeting, and I forget who it was, one of the vice presidents was explaining a problem that he had, how he was intending to solve it. After he finished, I would say, "Well, what's everybody's view of that?" And everybody offered comments on this very complex problem.

I said, "Ron, what do you think?" "The proposed solution won't work," he said. "Too many moving parts." [laughter] Well, he was right. Too many moving parts. He helped the University of California a lot. Now, I'm aware he was controversial, and much of the controversy that surrounded his departure was grossly unfair. And I'll get to that later.

Lage: We'll get to that towards the end, but I think we want to set the scene.

Gardner: Yes. He was a very important member of my administration and he served the University of California with great effect and success. And, I might, no one was in a better position to see this than I was.

Bill Frazer, Senior Vice President for Academic Affairs

Lage: Let me ask the same question about Vice President Frazer. What were the qualities that he brought that you were attracted to?

Gardner: He was a completely different personality than Ron Brady, completely different. Brady would have been comfortable in a business setting, and Bill was a physicist and an academic through and through. That had been his experience, and he was a very good one, and Bill brought those values to the table. He was a quieter person. He and Ron had a rough time at first, but I think they came to get along quite well.

Lage: Was Frazer consultative with all the elements of the academic picture?

Gardner: As far as I know. I think he had a very good relationship with the university's Academic Council, which is the principal point of contact with the UC Academic Senate. He was not a hard-driving person. He was more quiet, a little indirect. He was not as assertive as some other people in the administration. But in his own quiet way, he would come in and advise me this way or that, and generally he proved to be correct.

He was not a person either informed about nor comfortable with the political dimensions of the work, and shied away from them, didn't care for them, and was frankly quite naive about them. But as time went on, he caught on, and toward the end of my administration he proved to be an excellent person testifying before legislative committees. So he really grew into the job in that respect.

Lage: He would be called on to defend programs?

Gardner: Oh, all the time. Yes, he did a very good job of it. The legislators liked him; he was a straight arrow, you could count on what he was saying. If he was wrong, had misinformation, he would correct it. So I would say toward the end of the administration, the last three or four years, he was a very good representative for us in Sacramento on issues that involved the academic part of the university, did a real good job of that.

Then I should mention that Ron Brady over time came to have a close personal relationship with Speaker Brown. They really got along. I always thought it was a strange mix, but they got along real well. And that helped a lot, too.

Lage: Yes. All of that helps.

The Other Vice Presidents

Jim Kendrick

Gardner: And then Jim Kendrick, of course, in agriculture, was an old hand. He contracted cancer about halfway through my administration and passed away. Libby and I had known him and Evelyn, his wife, very, very well. That was a personal loss to us. Jim was a great guy and a wonderful member of the university family, and we really missed him.

Ken Farrell

Gardner: We brought in his replacement, I think three or four years before I left--

Lage: Ken Farrell, was it?

Gardner: Ken Farrell. Ken and Mary came. He picked it right up; it was kind of hard for him because Jim was so well known, and it took a long while. That's a huge part of UC--it's an empire.

Lage: It really is.

Gardner: Yes, it's an empire, and Jim and Ken did a great job there.

Con Hopper

Gardner: Con Hopper--well, he just had about an impossible task with the health professional schools and our many hospitals.

Lage: He dealt with both the schools and the hospitals?

Gardner: Yes.

Lage: Didn't you say you would put the two together at Utah?

Gardner: I had, but I hadn't done it with five of them, just one. But at least I knew what the score was. Con was a real fine colleague --we enjoyed each other--and a very hard worker.

Lage: Was he an M.D.?

Gardner: Oh, yes, he's an M.D. He had been vice president of Tuskegee Institute, and Dave Saxon had recruited him. Con did a fine job for us. He was not a numbers guy, so he and Brady would have to work together in order for Con to get the numbers ready for the Regents to consider.

Lage: And there are a lot of numbers.

Gardner: Oh, a lot of numbers. Con would get up there with all the numbers, and some of the regents were pretty sharp. He had a hard time with some of that, but he knew the business, and he understood how health care was delivered, and he was a fine colleague. He worked very well with members of the legislature, very conscientious.

Bill Baker

Gardner: Bill Baker and I had known one another since we were in elementary school together. We both went through the Berkeley schools together, so that was an easy relationship.

Lage: Was he there when you came, or did you bring him in?

Gardner: No, I promoted him.

Lage: He had the background in the public affairs?

Gardner: Well, he knew a lot of people, because as the budget officer he would naturally come into contact with a lot of legislators anyway. And he knew the university intimately, having held responsible positions in its administration for many years. That was another reason I thought about mixing these two positions. He already was well acquainted. He knew the people, knew the issues, so it was an easy transition for Bill in that respect. He had not had the public relations, press relations and so forth, but he came to deal with that very well over time.

IX INITIAL PRIORITIES AS PRESIDENT

The First Budget: Fiscal Year 1984-1985

Assessing the Budget Needs

Gardner: Bill Baker and Larry Hershman, who was Bill's assistant in the budget area, came back to see me in Salt Lake. I think it was in June or July of '83. They said, "We are now preparing the '84-'85 budget, which goes to the Regents in October and November of '83 and to the governor and the legislature in time for the January '84 legislative session. You need to be making some decisions."

So I devoted about a half a day to discussions of this, and I had not fully realized how bad things were.

Lage: [laughs] This is part of the transition.

Gardner: Yes, this was a shock. It was terrible. They gave me a pretty clear picture of it. I was really taken aback. At the end of it, they said, "What do you want to do?" I said, "Well, we need to turn the institution around, budgetarily." They said, "Well, that's right." I said, "Then we'd better turn it around. I don't know any other way of turning it around than to turn it around." "What do you mean?"

I said, "Well, you've indicated to me what we're going to need, for example, to move faculty salaries from 14 percent below the benchmark of their competition nationally to the average of the eight comparison institutions, four public and four private, which the legislature has accepted as the appropriate benchmark."

Lage: They had in the past accepted it?

Gardner: In the past, they had accepted it as a matter of state policy. They just hadn't funded it. I said, "That's going to take this much money, and something else is going to take that much money, and we know the enrollments are going up. Therefore, we have a real budget need for a 21, 22 percent increase next year compared to the current year's general operating budget."

They both laughed. They said, "Hey, we've been lucky to get 2 to 3 percent." I said, "Yes, I know. That's the problem. We've been getting 2 to 3 percent, and if we keep getting 2 to 3 percent, we're going to go under in the long run."

Then Bill said, "In addition to that, we have to restore the pension monies that the legislature diverted from the University of California last year, and that adds 10 to 11 percent more to the budget. So you're not talking about 21 or 22, you're talking about 31 or 32 percent. So forget that." That was kind of their attitude.

I said, "No, you prepare a budget. This is not a final decision, but I want you to prepare a budget that increases our operating budget 21, 22 percent," I forget what it was, "for '84-'85, and that, in addition, restores the pension to its full amount, that is, another 10 to 11 percent. I want to look at it. Then I'll make a decision."

They said, "Well, we think it's better to prepare one at 10, and one at 5." I said, "You do whatever you want, but I want to look at the one I've just asked you to prepare." And they did so. And then by the time I saw them again in August, I was already on the job.

At the September meeting of the Council of Chancellors, where all the chancellors meet with the vice presidents and with the president once a month, I laid out my draft budget for '84-'85 for their review and advice. They all said, "First of all, you'll never get it. Secondly, asking for that much is not politically wise. Third, if you don't get it, think how you're going to look. You ask for 32 percent and you get 3, that's not going to look so good."

Lage: So they dampened your enthusiasm.

Gardner: Absolutely. Then the word got out to certain regents, and they would call me and say, "No, you don't want to do that. This is your first year, you have to succeed your first year, not fail," et cetera, et cetera. I thought, Well, maybe they're right, I shouldn't do this.

Meeting with Governor George Deukmejian

Gardner: But I had to submit it soon. I then had a call from Ken Khachigian, whom I had known at UC Santa Barbara where he served as student body president.

Lage: Oh, that was the connection!

Gardner: Yes. And his wife, Meredith, had been his campaign director, so I knew her as well. She was later appointed to the Board of Regents, but she was not on the board at this time. Ken was a political consultant, and a very good one, and was a close friend of Governor Deukmejian's.

He called me and said, "You've met the governor in Sacramento," which I had when Dave Saxon took me up. We went by to see the governor. I sat and observed a pretty hostile exchange between Dave and the governor on the university's budget.

Lage: Can you describe that?

Gardner: Oh, I forgot to mention that meeting. When I was in Sacramento and Dave had showed me around, introducing me around, we went to see the governor, naturally. Steve Merksamer, the governor's chief of staff, was there, and the governor, President Saxon, and I. I was introduced, and that's about as far as I got. Then Dave said something to the governor about a mid-year budget cut for UC the governor was either contemplating or had just announced, I forget which; and sparks just went off. It wasn't too good a scene. I said almost nothing. So I hadn't really had a chance to talk to the governor on that occasion.

Khachigian now said, "You know, the governor didn't get a chance to talk with you when you were in Sacramento. He would like to get acquainted. Could you come to L.A.?" I said, "Yes, of course." So I went down for lunch, and this was in early October, before my budget was submitted to the Regents. There were four of us: the governor, whom I did not know; Ken Khachigian, whom I knew; and Steve Merksamer, whom I had met once during our brief visit in Sacramento with Saxon.

Lage: Did you bring anybody along?

Gardner: No. Which impressed the governor, by the way. I didn't bring anybody.

We went in, we had a nice lunch, and when we finished, he said, "Well, Dave, what is the condition of the University of California?" I said, "Well, it's not so good." Then I gave him examples: our student-faculty ratios, the faculty salaries, the insufficiency of funds for this or for that, the enrollment growth not being paid for, and I went right down the line. I said, "Not so good. And it hasn't been very good for a long time." I answered him as best I could.

He then said, "What is the significance or the meaning of all that?" I said, "We have about three years to turn it around, and if we fail to do so, neither you nor I can do anything about it. It will just start going down, and you won't be able to stop it, and I won't either."

"What do you mean?" he said.

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Gardner: I said, "Well, look. I'm visiting every campus of the University of California between now and next June. And when I visit, I meet with the chancellors, the vice chancellors, the deans, the key leaders of the academic community, the Academic Senate, key faculty members, with alumni leaders, with the leaders of the student body, some community leaders, and our donors. These are the people I meet with when I make these nine visits over the next several months. What do you want me to tell them?"

"Here we are. You're new to the job of governor; you haven't been on the job a year. I've read your speeches regarding education, both before and after you were elected. You indicate that you intend to support education, including higher education, and I take you at your word. Secondly, I'm a new UC president, I don't bring any baggage to the table. We don't know each other. Third, the campuses are quiet." And I went on to describe the conditions.

I said, "These are the most congenial set of conditions we will ever have. Moreover, even though you expected to pay IOUs as recently as five or six months ago, the state's economy is going to turn around in 1984." He said, "That's correct, it will." Few people really knew that at the time, but I had done my own digging on it and had drawn that conclusion, and of course, he had his own advisors, and they had apparently told him the economy was going to improve as well.

I said, "The economy is going to be on the upswing, the campuses are quiet, we're both new to the job. We'll never have a more hospitable set of circumstances than these. So if I

cannot represent to the University of California community in my visits this first and most favorable year that we are going to make real progress, under what conditions should I be able to tell them we can expect to make progress? If we're not making progress under these conditions, we never will. That's the message. I've got to be able to tell them something that is encouraging--not words, but something tangible--or they will conclude, and rightly so, that there isn't any relief, and that negative conclusion will feed on itself and down we go. Neither you nor I could stop it."

"I see," he said. "Give me an example." I said, "Well, faculty salaries are 14 percent below the average of our comparison institutions. Why don't you just close the gap? Bring it to zero, so that faculty salaries are on average with our peers, not 14 percent below the average of our peers. And average means that half our competition is doing better than we are. That's one example."

He then turned to Steve and said, "How much money is that, Steve?" And Steve and I consulted, and he gave him a figure, I forget what it was, so many million dollars. "I think I could do that over two or three years," he said. I said, "That would be a tremendous boost for the University of California, but if you want to signal your intention to restore the fiscal health of the University of California, do it in one year. No one will expect you to do it in one year. No one will fault you for doing it over two or three, but if you want to make clear your intentions with respect to the University of California, do it in one year. That will do it."

He turned to Steve and he said, "It's a good idea. See to it in the budget." Just like that.

He then turned back and said, "I need to work with you on a two- to three-year budget to turn this around for the University of California." I said, "Done deal."

Lage: So he had a sense of commitment.

Gardner: Yes. I asked, "Who do you want me to work with?" He told me, "You work with Steve. You and Steve work together, and that's what we'll do." I said, "Terrific," and that was it.

Lage: It's amazing.

Gardner: And that's how we turned it around.

As a result of that conversation, I then proceeded to submit to the Regents the budget that I had wanted to submit (31 or 32 percent increase, I believe) but had been discouraged from proposing by everybody else. The Regents reluctantly supported it, the governor proposed it, and the legislature enacted it. We got it, as you recall. We got it all.

Lage: Yes. That started things off on the right track.

Gardner: It was a good start. That's what happened.

Lage: What did you talk about at lunch? You said it was after lunch that you brought this up.

Gardner: Oh, we were just getting acquainted, you know.

Lage: It wasn't business?

Gardner: Well, we found out we had some mutual friends, and we had lived different places, and we kind of talked about that, and just got acquainted personally. Just joked and had a good time.

Lage: Did you feel a sense of communication from him?

Gardner: Yes. He was very easy to talk with; I liked him a lot. He was straightforward, low-key, not flamboyant at all, just all business.

Lage: You had done some homework, because you knew what he had said about education.

Gardner: Yes, I had done that.

Lage: And was it encouraging?

Gardner: Yes, it was.

Lage: Had he voted well in the past?

Gardner: I didn't know about that, but I knew what he had said when he was running for governor and after he was elected. I liked that, and we hit it off real well.

Lage: So that was a nice beginning.

Gardner: It was a nice beginning. I never tried to play games with the governor, nor did he with me. I'll get to this later, but for example, I would submit a capital budget request for our buildings; we had to do that a year before it was needed. The

legislature had to vote on it. As they got close to voting on it, sometimes we weren't quite ready with some buildings that I had earlier included on the list. I would then see the governor and say, "I know we requested \$250 million which you're now prepared to recommend, but the university is not ready with our plans for building such and such, and therefore, Governor, you can reduce the university's request by \$15 million, down to \$235 million." Nobody else did that, and he respected that. So when I said, "I need \$15 million more over here," he could believe me. That was the kind of relationship we had.

Lage: He turned you over to Steve Merksamer--

Gardner: Yes, his chief of staff, principal advisor.

Lage: Did you in later times have many conferences with the governor?

Gardner: Oh, yes, sure. But Steve and I worked it all out. I didn't like to surprise the governor, and he had a right to have his staff work done properly, so Steve and I would always work together.

Lage: Was Steve easy to work with?

Gardner: Very easy to work with and very supportive. Good as his word always.

Lage: Was there an educational advisor as well?

Gardner: Not early on. Later there was.

Lage: So it was mainly Steve that you worked with.

Gardner: Yes, I worked with Steve. Well, the governor later did have an education advisor. They had a couple of them, and Steve Arditti, our representative in Sacramento, would work with him. Bill Baker would work with him. I knew him and so forth, but I did most of my work with Steve.

Lage: Very interesting. Well, we've got a good start here. -

Gardner: So anyway, that's how the first-year budget came to be, and how Governor Deukmejian committed himself to restoring the university's financial health.

Taking the Budget to the Regents and the Legislature

Lage: Did this happen before you went to the Regents and asked for the budget?

Gardner: Yes.

Lage: So you were able to report that to the Regents.

Gardner: I didn't report that conversation to the Regents.

Lage: You didn't?

Gardner: Oh, no. That was a private conversation, and I didn't want the governor to be held to something if circumstances changed. If he wanted to announce it, he could announce it, but I wasn't going to announce it for him. After all, it's his decision. I simply said to the Regents, "Here's my estimate of what the University of California needs to make its operating budget whole, and this is what we've had the last few years. It's been deficient in the following respects. This budget is intended to fill those holes." They were quite taken aback, and asked if I wanted to reduce it. I said, "No, this is the budget I'm recommending. Now, if you don't want to recommend it, then don't, but this is what I am proposing to you." They finally went with it. They weren't going to second-guess me my first time around.

Lage: You had to keep your ace in the hole quiet.

Gardner: Yes. And then when the governor's budget came out in January, there was our budget, unimpaired, much to everyone's astonishment, I might add. And what was even more astonishing is we got it out of the legislature. [laughter]

Lage: Did that take similar behind-the-scenes work?

Gardner: That took a lot of work too, but there were no deals cut. That was just hard, slogging work. We had a good team, and we got it through. And I think most members of the legislature wanted to be encouraging my first year. Willie Brown was very supportive, for example. The minority caucus was very supportive. Others were. I think most of them felt we had been shortchanged and they needed to get on with it. So with the governor's support, it was easier for them to do it.

Lage: And then the economy did pick up.

Gardner: It did pick up, so they had money. That always helps.
[laughter]

Lage: We can't forget that part.

Gardner: No, that always helps, although the state had money in the 1970s but chose not to support UC nearly as well as it had previously. Having the money doesn't necessarily mean UC is going to get any of it.

Lage: When you talked to the minority caucus, did you make any new policy or statements that were more progressive, if we want to use that word?

Gardner: No, not at all.

Lage: It was reaffirming what the university had said in the past.

Gardner: I thought the university's policies were pretty good, and I indicated that I was pledged to support them.

Lage: So they weren't asking for more than was already in place?

Gardner: No. I also thought if they were deficient or not sufficient, that I would recommend changes, but at the moment, they looked pretty good to me.

Lage: Very good.

Communication and Morale

Lage: You mentioned as your initial priorities budget, of course, number one.

Gardner: Yes.

Lage: Then came communication and morale. What were those in reference to?

Gardner: Morale was poor, of course, because it had been difficult times for the university for about sixteen years. That's a long time. Two terms of Governor Reagan, especially the first term--the second term wasn't quite so difficult. And more or less the first and second terms of Governor Brown. So the university was hurting. I found in my initial meetings that there was a tendency to think about how to survive rather than how to move

forward, so I tried to affect that in a positive way. The budget was the single best means of doing so.

Lage: So the budget was closely tied to morale.

Gardner: Yes, that was a critical vehicle. That's why it was such a big risk for me to go with the budget I proposed. In fact, one of the chancellors came up to me and said, "You know, you recommend a budget like this, and you get 3 percent, you just--" I said, "What's the worst that can happen?" I said, "Well, I'll just serve one year. That's the worst that can happen. And if I succeed, then we're off to a great start, right?" So that's what we did.

There was a morale problem that was surely tied to the budget. The campuses were in fact quiet; there wasn't a lot of problem there.

Lage: You've mentioned that a few times.

Gardner: It makes a big difference.

Lage: Tell me more about how it makes a difference.

Gardner: Well, in terms of where administrators spend their time, what occupies the interest of faculty members, how students view the university, how the press treats it, how legislators respond to it, how the governor deals with it, how the public supports it. Everything.

Lage: It diverts--

Gardner: Absolutely. It diverts, compromises, misleads.

Lage: So the campuses being quiet you felt helped you put in place the changes you made.

Gardner: Oh, no question of it. Look what happened when they weren't quiet, just to drive the point home.

Lage: Governor Reagan.

Gardner: That's right. Of course, just because it makes matters much worse when the campuses are not quiet does not mean that when they are quiet things are automatically or even necessarily better.

Lage: They were quiet, pretty much, during the Governor [Jerry] Brown era.

Gardner: Yes, they were. Oh, yes, they were, absolutely. But Governor Brown--it's not as though the state didn't have the money. You recall Proposition 13 was enacted in the late 1970s. One reason it was enacted was the state had a \$7 billion surplus and at the same time people were getting taxed out of their homes. So it's not as though there was not money in the state to support the university; they were not willing to spend it on the University of California. Now, I don't know why they were not, they being the legislature and the governor. I do not. I hope Dave Saxon covered that in his oral history, because I was not in California, and I can't speak from a firsthand knowledge of what the problem was. I really don't know. I was concerned with the University of Utah at that point.

Lage: But anyway, it's a fact.

Gardner: Yes.

Lage: Okay, and then communication. What were you referring to: within the university, or with the people of the state?

Gardner: I thought that there was a lot of communication within the university, so I wasn't trying to correct deficiencies there. But I needed to communicate within the university, being the new president, which is why I set out to arrange visits to all nine campuses plus the three national laboratories we were managing. This was no easy task to accomplish my initial year, but they were very helpful, very beneficial visits.

Communication with the Regents

Lage: I want to talk about those. Should we talk about how you developed relations with the regents first, or with the campuses? Which comes first?

Gardner: Oh, the regents first, because I forgot to mention this. In, let's see, June or July, I forget which, Regent Glenn Campbell had been serving as chairman of the board. The board in 1983 was almost evenly divided between Democrats and Republicans, unlike today, where they're nearly all Republicans. There was a liberal and a conservative ideology at work. An important and helpful balance obtained.

Lage: And some were Pat Brown Democrats, and Reagan Republicans, and then Jerry Brown Democrats.

Gardner: That is correct. It was a real mix.

I knew about half of them; half I didn't know at all. But before I came, it was customary to appoint the person serving as chairman of the board for a second one-year term. A regent who had served one year as chairman was customarily re-elected to a second one-year term as chairman. Well, the board did not renew Regent Campbell's term, because the liberal members of the board got together and put in Regent Yori Wada as chairman.

Lage: Was this a liberal-conservative thing, or a personality thing?

Gardner: No, liberal-conservative. Personality may have played a role, I don't know because I was not there. But I know it was essentially a vote along liberal-conservative lines.

Lage: Where do you put Regent Carter in this?

Gardner: More conservative side.

Lage: But he was a Pat Brown appointee, I think.

Gardner: I think so.

Lage: And reappointed--by Deukmejian.

Gardner: Reappointed, yes.

So this was a disquieting meeting for most members of the board, and the feelings that were expressed and the statements that were made about one another were decidedly unpleasant, all of which was widely reported in the California press, which I read in Salt Lake City.

Lage: And did David Saxon take a role?

Gardner: I don't know what he did. He probably was bemoaning the situation and his own fate. In any event, it was not pleasant to behold. That spilled over into my first meeting with the board in September of 1983.

The Regents meet on a Thursday and a Friday, the third week of most months. The Thursday meetings are for committees, and the Friday meeting is the full board. The first committee meeting on Thursday, my first meeting as president with the board, was on officers' salaries. That's chancellors, vice presidents, and principal officers of the Regents, and several other people. The president is a voting member of every committee of the board, except for audit.

Well, I'm sitting there, and this is business the board ordinarily would have done in June or July, but they couldn't agree so they put it over until September. There are seven members of the committee. What was the vote? Three to three. I'm sitting there--

Lage: And you're going to be the tie-breaker.

Gardner: I was supposed to be the swing vote. Everybody looked to me, I said, "Oh, no." And this is my first meeting with the board. I said, "Oh, no. Look. This is business you should have taken care of before I came here. Secondly, these salaries are tied to performance, they're not across the board. They're tied to performance. I know nothing about the performance of the officers named. You're going to have to solve this; I'm not solving it for you, and I'm abstaining." I put it a little more diplomatically, but that was the message.

Well, there was kind of a "Who's this guy?" response. They solved it, and they took care of it. But throughout the day, that, coupled with the spillover from Regent Campbell's unseating, permeated the discussions. Some hostility here, a little jab there, colored the discussions. I didn't care for it.

Second point: in my personal life, my mother had passed away two weeks before, my stepmother, that is. And my father had passed away two or three days before the meeting we're discussing.

Lage: Oh, my! I didn't realize that.

Gardner: Yes. And I had also moved the family down to the Bay Area from Salt Lake, and it was a very difficult time for me. I was exhausted, and I wasn't feeling too happy about things anyway. My father's funeral was the next day. The regents didn't know that; so that is where I was as to my personal life. So I just didn't like the feel of the meeting that day and liked it even less given my personal circumstances.

The next morning, Friday morning, we went through our business in closed session, and then Regent Wada said, "We're now going to go to open session." I said, "No, we're not going to go into open session yet. There's one item I need to call out for the board's consideration. I observed the norms of behavior and the character of the comments and the nature of your interaction yesterday. It's not pleasant to behold. I need to ask this board a question: What is it you want me to do? Do you want me to spend all my time trying to harmonize your differences, or do you want me to spend my time doing what I thought it was you

asked me down here to do? Now, I can't do both of them, so before we go into open session, you need to tell me which one it's going to be."

Well, there was a silence for fifteen seconds, which is a long time. And then Regent Watkins said something to the effect that, "The president is right. He's absolutely right. We've got to pull together as a board here, put these things back of us. And speaking at least for myself, I pledge myself to do that." And other conservative members shook their heads in agreement.

Then Stan Sheinbaum, representing the more liberal element of the board, said essentially the same thing. Then they all came in together. That incident had a greater bearing on our relationship--that is, the board's relationship with me and mine with them--than any other single thing. We had an understanding early on.

Lage: Just that you laid this out.

Gardner: I made that statement, they knew I meant it, they knew that I was right in terms of where I was heading, and they came around. The result was, I really got along very well with the board, almost up until the end. I really did. Even during divestment, when the board was sharply divided, they were divided on that issue, they weren't divided otherwise.

Lage: They didn't let it spill over?

Gardner: No, they did not let it spill over, and I got along very well with them. So that was an important thing to have happened, as important for my relations with the board as the earlier discussion with the governor in Los Angeles had been for my relations with him. Those first two or three months, in terms of how I organized my office, and who I asked to serve, and how I established my relations with the governor, and how I began to establish my relations with powerful people in Sacramento and the legislature, how I established my relations with the Regents, announcing I was going to visit all the campuses, all of that helped set the tone for my work as president and helped position me in relationship to the university's most critical constituencies.

Lage: Now, things like your reaction in the Regents' meeting. Is this something you had thought about before--

Gardner: No, not at all.

Lage: Or just right at the moment?

Gardner: Right at the moment.

Lage: Just seemed right.

Gardner: It seemed right.

Lage: Were there particular leaders on the board?

Gardner: Oh, yes.

Lage: I know the board changed gradually over time.

Gardner: Yes, and dramatically as well.

Lage: Who did you call on in those early years?

Gardner: Regent Carter was a power on the board, Regent Watkins was, Regent Sheinbaum, Regent [Sheldon W.] Andelson. I would have to look at the--do you have a list?

Lage: Yes. [pulls out lists]

Gardner: Good, let me look at them. I can tell you very quickly.

Lage: That one is 1983-'84, when you first came on.

Gardner: Regent William French Smith, was. Of course, whenever Willie Brown came, he was. Jack [John F.] Henning, AFL-CIO, was. Yvonne [Brathwaite] Burke, when she came, was. Harold [M.] Williams, Bob [Robert N.] Noyce--these were all--

Lage: Sounds like most of them, as you go through the list.

Gardner: Well, most of them. They got along pretty well, except for that one problem. I enjoyed working with the board, I really did. They were a nice group of people.

Lage: Did they put the interests of the university above any other considerations?

Gardner: Yes, they did. In spite of all of the rumors to the contrary and all the misrepresentations of the press, they really did.

Lage: Was there a difference over time between the new regents recently appointed?

Gardner: There was a gradual change. I can get to that as we move through my tenure here as president. It did change. But at this point, it was pretty good.

Lage: Okay. We'll talk more about Regents as we talk about specific issues.

Gardner: Yes.

Regents' Meetings

Lage: It seemed to me that the meetings started being organized a little differently.

Gardner: This is true, I should mention that.

Dave [Saxon]--as I understand it, because I was never at a Regents' meeting when he was president--Dave preferred to introduce most items to the board. He carried the meeting, carried the agenda. I had a different approach based upon my own experience. That's not to say his isn't just as right as mine, but my approach was just a little different.

I routinely asked the vice president whose area of responsibility included the item to be considered to make the presentation, if it was a universitywide issue. If it was a campus-specific issue, I would ask the chancellor to present it. I would not present it.

Lage: Is this true in the committee meetings as well?

Gardner: Yes, committee and full board. I would ask the officer best informed about the matter to present it. I would then listen to the presentation. I would take a reading on how it was being received. Regents would then converse with the officer making the presentation and others who may be consulted, and generally speaking, it went forward, and a motion would be made and the item was passed. I never said a word.

Occasionally, there would be a gap in the presentation or a misunderstanding and I could tell that the board didn't quite get it. I would then jump in and clarify it, then I would stop and let it go on. Occasionally, if it got to be a fairly lively discussion, but seemed to be going in the right direction, I wouldn't say anything. Just let it go, let the officer handle it.

Occasionally, it would be going the wrong way, and people would be arguing, and you could tell that the general tenor of the discussion was deteriorating, or that feelings were getting

high, and it was not going to be solved merely by their discussions or arguments. I would then come in, take account of the various views that had been expressed, and weave them and the original proposal such as to resolve the issue, usually in support of what had first been proposed, or with some modest amendment that I would put on the table. I would, in effect, take over from the officer presenting the item because my intervention appeared to be necessary to move the board to an acceptable outcome. I would usually wait right until the end of the discussion before intervening, however.

Timing is crucial. You have to know when the discussion is either about to end or to deteriorate beyond recovery. You don't want to come in too soon, or you use up your clout. And, as president, you don't ordinarily get a chance to speak twice. So I would wait until I thought the time was optimal, then I would come in and summarize the discussion, take account of the various views, argue with some of them, rephrase the points a little, come up with a different or a differently phrased solution, recommend that the matter be tabled or that we amend it, or that we push forward for board action because I thought action was needed. That was something that I did pretty well, actually, and I felt as though I made an important contribution in this arena.

Lage: Was your role to strengthen the proposal that you put on the table originally, or did you ever--

Gardner: No, generally to strengthen it, because we had thought it through pretty carefully before proposing it; and for me to switch positions midstream would undercut my understanding with and commitments to all kinds of people in the university. My job was to get it passed, unless I thought we had missed the mark, in which case I would say, "Well, we need to think about this matter further, that's a good point. Let's table it for today; we'll come back next time."

Lage: This would be helpful if we had an example. Maybe as we're talking more specifically, we can come up with an example.

Gardner: Oh, gosh, this happened at almost every meeting of the board, maybe two or three times. There would be 100, 125 items on for action, discussion or information each Regents meeting.

Lage: I see, so this was not just on controversial items.

Gardner: No, two or three times I would have to come in and help direct the outcome. I think if you read the Regents' meetings minutes, you'll get a sense of that.

Lage: I did. I got the sense of it being a very well-managed board.

Gardner: It was.

Now, a lot of people really misunderstood how the board worked, including legislators and the press, and to this day they misunderstand it. It was alleged during the years I was president that the board was just a rubber stamp for me. It was alleged that the board was not independent of the administration. It was alleged that the board had abdicated its authority. That's just all baloney.

The fact is that I knew the board's views and the individual members of the board's views on all of the important issues that came to them. And when we had a matter coming to the board that I knew would be of particular interest to Regent A, or particular concern to Regent B, or would be opposed by Regent C, or excessively enthusiastically supported by Regent D, I would call them, answer their questions or get answers for them, modify our proposal or recommendation if I thought it was reasonable to do so, defer or accelerate the matter in terms of when to schedule an item on the board's agenda, and so forth. In other words, I would work out ahead of time all the views that needed to be allowed for or reconciled so that their opinions were taken into account as we framed the motion for the board.

Lage: So your proposals were in consideration of their views.

Gardner: Yes and no. We allowed for their views but still recommended what we thought was best for the university.

Secondly, I didn't put an item on the agenda for action until it was ripe. People misunderstood the process. It was not as though it was the first time they heard of these issues at a Regents meeting. They knew what was coming; I had already talked with some of them, usually the chair of the committees. Or Brady would talk with them, or Frazer would talk with them, or Baker would talk with them, or I would talk with them, whatever. We would have it all worked out.

The alternative to that is to surprise them with these items, have them argue over it, and fail to get agreement. This would lead to a divided board with undue frequency. Their relationships would then begin to deteriorate, the press would love it. Egos would get in the way of solutions. The officers of the university would then spend a disproportionate share of their time trying to deal with a divided board. Confidence in both the administration and the Regents would then deteriorate, and the university would be weakened politically and in every

other way. And I didn't want that to happen. I had seen it happen before. Too much at stake here. So we worked it out. There were hardly any examples of where our approach didn't work.

Divestment, however, was one where I could not reconcile their differences, I simply could not. Of course, reasonable people held very strong but contrary views, and I respected that. I called every single regent personally more than once on the divestment issue, and I finally realized that I could not reconcile them. They were going to have to figure it out themselves; and I would go forward with it according to what I thought served the best interests of the university. Regents would then do with it what they wanted. But that issue was a clear exception to the rule.

This is an important point, because I think a lot of people have thought that somehow I dominated the board. I did not dominate the board. I enjoyed their respect, but I always worked with them. I did not ignore them. I sought their advice. I didn't always take it, but I always explained why.

Lage: This was mainly on the telephone?

Gardner: Yes, on the telephone.

Lage: Any other get-togethers?

Gardner: No, there are too many of them. I would just talk to them on the telephone.

Lage: Was there any socializing with the regents?

Gardner: No, hardly any at all.

Lage: Was there formal socializing? Is that part of the Regents' meetings?

Gardner: There was, at the Thursday night dinner of Regents' meetings, and that was about it. You would get a lot of work done at the dinners. For example, if there was a committee meeting during the day and we weren't doing so well on an issue, or somebody had raised a point that I thought was good and we needed to work it out, or somebody proposed an amendment that I thought was unwise, we would work it all out at dinner informally, that is, through one-on-one private conversations, and then the next day we would do what appeared to be best.

Lage: Did you introduce a consent calendar?

Gardner: Oh, yes, I introduced that. What I found in returning to UC was that the issues that went to the board were almost undifferentiated as to their significance. Every item, if you looked at it, appeared to be of equal importance. Well, they weren't. So I persuaded the board to agree to a consent agenda, which is merely a means of packaging the more routine items, the ones that are not really deserving of a lot of attention, and acting on them with a single motion in the form of a consent agenda.

That dramatically simplified the work of the board, such that they could spend what time they had on the more important issues, not on the ones that were more routine.

Lage: And were most of those things worked out in the committees?

Gardner: Yes.

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Gardner: In addition to that, I persuaded the Regents to reduce the number of general meetings of the board by two, and to substitute one-day policy meetings for two days of business meetings. They agreed to that, but somewhat reluctantly.

Lage: These were informational for the Regents?

Gardner: No, they would act on some items, but they were mostly informational.

For example, in 1989 or '90, I forget which it was, I put the whole issue of affirmative action on the table for one of our policy meetings. We took an entire day in San Francisco walking through our affirmative action policies as they bore upon contracts and employment and admissions and so forth, and I went right through it all, making sure that they understood how it worked, answering their concerns, problems we were having, criticisms we were receiving, and so forth. We put it all on the table.

And I remember on the admissions issue--I think it was '89--Regent A would say, "I don't like what you are doing. Why don't you do this instead?" I said, "Well, if we do what you're suggesting, here are the problems with it." The regent would then acknowledge that he or she hadn't thought about that. And at the end of that discussion, one of the regents said, "I am really frustrated. We still have these problems out here." I said, "That's right. There are some problems for which there are no immediate solutions. This is one of them. We are not

representing that this is a flawless policy. We're not saying that it's equally fair to everyone. We're just doing the best we can, and we learn from our mistakes, and we correct them, and that's why we're having this meeting."

He kept after me, and I finally said, "Look. For those of you who believe you have the solution to this problem"--affirmative action on admission mostly--"you do not comprehend the problem. And for those of us who comprehend the problem, we do not have a solution. We're just doing the best we can." They all laughed and accepted it and went on.

I tried to use these policy meetings for that purpose. I would say it worked reasonably well. It wasn't spectacular, but --. It's also true that a Regents' meeting is unbelievably time-consuming for the staff.

Lage: In terms of preparation?

Gardner: Oh, on the campuses, getting the items ready. In the president's office, working with the campuses to put them in final form. Just the mechanics of it, not to mention the substance. Once a month.

Lage: A lot of the agenda items are prepared for on the campuses?

Gardner: They almost all start on the campuses. It's not only budgets, but academic programs, or appointments, or buildings, or contracts, or whatever. They come up from the campuses. People in the president's office work to put them in the proper form, make sure they comport with university policy, make sure there are not unexpected problems, or that they don't unintentionally and adversely affect another campus. All of these issues. The president's office does all the coordinative work, but most of the substantive work is by and large done on the campuses, except for issues that are inherently universitywide, which issues are normally prepared initially by the president's office and the chancellors' views are sought.

Then we have to put it in a form that fits our Regents' format. The vice presidents had to do all the checking, making sure everybody was aboard. Universitywide policies, the vice presidents have to sign off, the senate would have to sign off, the chancellors would have to sign off. And finally, I had to sign off as these were the president's recommendations. There were nine, ten of these meetings a year. It's quite an unbelievable process. So I got two of those taken out and substituted the policy meetings, which are a lot easier to prepare, of course.

Lage: And did they accept that? You said it wasn't universal--

Gardner: Yes, reluctantly. They were a little reluctant.

Lage: I think you mentioned in one of the minutes here that attendance wasn't as good for those meetings.

Gardner: It was not. It got better later, but initially, it was not. I can't do much about that, but at least we didn't have to prepare two extra business meetings a year, which was killing us staff-wise. And the Regents were able to discuss some important issues under less pressured circumstances. On balance, it was a wise move.

Special Assistants and Executive Secretary to the President

[Interview 6: October 26, 1995] ##

Lage: When we were talking about administrative structure, I didn't ask you about your special assistant and your executive assistant. I thought you might want to say something about them and what role they played. The special assistant position seemed to have disappeared after a period of time.

Gardner: Yes, I did not have an executive assistant, in the usual sense of the term--or in the sense that Dave Saxon had.

Lage: Let's see. In the early years, you had executive secretary Nancy Nakayama, and then special assistant to the president--

Gardner: There was an executive assistant to the president under Dave Saxon--

Lage: There was Nancy Nakayama, and then a special assistant for administrative affairs--

Gardner: Yes, the special assistant was Gloria Copeland, and I was fortunate that she was willing to stay on and help me as she had Dave Saxon.

Lage: And then a number of others.

Gardner: Yes. All those who had not decided to leave, I kept. I did eliminate the position of executive assistant to the president.

Lage: And did you put that--

Gardner: Later on, but as a special assistant. Janet Young came as my special assistant after Gloria Copeland retired in 1985, I think it was.

Lage: Gloria had been around since Clark Kerr.

Gardner: Oh, yes, and I knew her very well, and she was very great assistance to me, because she had all the knowledge.

Lage: The institutional memory and--

Gardner: The continuity. She and Nancy Nakayama, who was my executive secretary, the two of them knew almost everything there was to know about the administration of the University of California. They were a great help, both of them.

Lage: What kinds of things do people like that do, and what's the difference between the executive secretary and the executive assistant?

Gardner: The executive assistant, for example, would staff all of the searches for officers of the university for which I was responsible: chancellors, vice presidents, and so forth. She would help coordinate the Regents' items, making sure they were in order, checking the staff work that was done. She would handle special problems and special assignments as they came up, and so forth. She had a set of routine duties that were complicated and difficult--they weren't routine in that sense--and then she had a set of special assignments that I would from time to time give to her.

The executive secretary to the president, Nancy Nakayama, who had served with David Saxon and previously with Roger Heyns on the campus when he was chancellor, worked with me for nine and a half years, with Jack Peltason for three years, and started off with [Richard C.] Dick Atkinson before she retired. She is going to retire shortly. She was just a fund of knowledge about the university. She handled my calendar, she handled the flow of paperwork into my office, she arranged my trips, she handled the telephone calls. Now, that may not sound too difficult or important, but it was crucial. It was crucial.

Lage: Does it require a lot of judgment?

Gardner: It requires a great deal of judgment. It requires a willingness to make decisions almost on the spot. It requires diplomacy. It requires knowledge. It requires sophistication. She in effect controlled the flow of paper, and information generally, into the office. She was responsible for all of my appointments.

Lage: And makes that kind of decision.

Gardner: She had to decide which calls to put through and which ones to deflect. The timeliness of talking with one person as against another, the political implications of talking with one person and not with another--

Lage: Would you brief her on backgrounds to make her--

Gardner: No, she briefed me! [laughter] It's the other way around. She already knew when I came into office. Then, of course, she came to adapt to my style. There was nothing I was doing that she did not also know, which is the only way she could do her job.

Lage: You must have had a lot of trust in her.

Gardner: Absolute trust, unqualified trust.

Lage: That's an important--

Gardner: Critical. I never felt there was any need to withhold information or opinions or my feelings from Nancy.

Lage: And did you feel as if they stopped right there?

Gardner: Yes, they absolutely did. She was a person of the highest personal integrity, smart, pleasant, knew exactly how to handle these matters. I would have had a lot tougher time without Nancy. And Gloria, for that matter, especially early on.

Lage: So Gloria must have retired.

Gardner: She retired not long afterwards, and then I undertook to recruit her successor, Janet Young.

Lage: Where did she come from?

Gardner: She came from the Health Science Center at the University of Oregon in Portland.

Lage: Oh, from out of the system?

Gardner: Yes. She was a lawyer, a little differently trained than Gloria, but did essentially the same work.

Lage: But she had to learn about the system.

Gardner: I had to break her in, yes. I broke her in--Nancy broke her in, others broke her in.

Lage: Great. Well, I didn't want to forget that, because you said how important they were.

Gardner: Thank you, yes, that's very important. And I wish to add that there was a small but very competent and hard-working staff within my immediate office who helped with my speeches, my correspondence, and a myriad of other things. They worked long hours under very significant stress and difficult conditions. They were invaluable and always ready to go the second mile to help.

David Gardner's Management Style

On the Budget

Lage: It's a hard question, or at least it's vague, but how would you describe your management style?

Gardner: I believed that whatever other people could do as well or better than I, I should ask them to do it. What only the president could do, I reserved for myself. I gave away everything else.

Lage: How did you decide what only the president could do?

Gardner: Well, for example, the president has to make the final decision on the budget, both operating and capital, before it goes to the Regents. So I had to know enough about the budget to feel confident with the decision. Now, I know that some university presidents know very little about their budgets and they rely almost exclusively on their budget officers. I did not. I relied very heavily on Bill Baker and later even more so on Larry Hershman with respect to budgets, but I knew almost as much as they did after a couple of years.

Lage: And did they brief you?

Gardner: Yes.

Lage: Did you know about it because they briefed you, or did you do your own sorting through?

Gardner: Both. I didn't sort through independently of them, I just pressed them for answers, for data, for perspective, for history, for prejudices, and so forth. I learned it. And of course, I had had ten years of experience at the University of Utah.

Someone said, "How do you manage a \$10 billion budget at UC, rather than \$100-something million," as I did at the University of Utah. I said, "The principles are all the same; just add three zeroes."

Lage: [laughter] That's true. The categories were probably pretty similar.

Gardner: It's no more difficult in many ways; you just add three zeroes.

Lage: But of course, you had nine campuses feeding into that budget.

Gardner: Oh yes, of course, that's more complicated. That's a different matter. But the size of the budget is not what determines its complexity, it's the nature and character of the operation that determines it. The University of California's budget is not uncomplicated, and it took me nearly two years to really get on top of it. But I wanted to be on top of it. So the budget is a matter that, while you seek the advice of all interested parties and all the officers of the institution, and work with your budget officer, the decision on the budget was mine and I wasn't going to delegate it to anybody else.

Lage: Now, when you say the decision, there must have been more than one decision. I think there would be so many aspects coming in there.

Gardner: No, but it's expressed in the form of a budget that goes to the Regents.

Lage: So the final decision about how much and what categories was yours alone.

Gardner: Right, exactly. I also kept control over the discretionary part of the budget. I didn't give that authority away to anybody either.

Lage: What's the discretionary part?

Gardner: These are nonbudgeted items. For example, half of our overhead goes to the state, roughly, and half the overhead stayed with the university. And of the portion that stayed with the university, I think 20 percent of it stayed with the president's office. Same with our royalty income. Same with some of the student fee income, and so forth. There are several accounts for which the president had sole discretion to administer. I didn't give that away to anybody.

In other words, I kept control of those things that were appropriate for the president to make decisions about in terms of resource allocation. That's one thing I believed the president had to do.

On Legislative Matters

Gardner: I kept control of the basic decisions about how we would handle bills introduced in the legislature. Are we going to support them, are we going to oppose them, are we going to seek to amend them? I, of course, relied very heavily on Bill Baker and Steve Arditti for advice. Indeed, I expected them to make most of those decisions and not even tell me about most of them, because the answers to the university's views in the matter were evident. They didn't have to check with me--

Lage: Are you talking about bills having to do with the university's budget, or bills that might down the road affect the university in some way?

Gardner: It was personnel policies, and unionization, toxic and hazardous waste--you name it--animal rights--

Lage: A whole range of bills.

Gardner: The whole thing. There are hundreds of bills introduced every session that affect the University of California. And Steve and Bill between them, generally speaking, would make the decisions about how to deal with those without any input from me.

But there would be a handful of bills, maybe fifteen or twenty every legislative session, that were of such import that in their opinion, they should seek my guidance, so they did. I would reserve that authority to myself.

Lage: Not to a cabinet approach.

Gardner: No. I would always seek the advice of the cabinet, I would always seek the advice of the vice presidents, I would seek the advice of the chancellors, but I would reserve the authority to act to the president's office. Now, the Regents had given the authority to the president to deal with it, and I felt on issues that bore upon state policy affecting fees and tuitions and unionization, any decision that might impinge on our academic programs and so forth, that I should be giving guidance to the people responsible for dealing with them in Sacramento. The

contacts with legislators would be handled by Arditti and Baker. I would occasionally visit Sacramento to seek to persuade legislators on an important issue. The Regents would also be involved from time to time--individually, that is, not collectively.

And we had a very good, easy kind of working relationship. I don't recall where they ever did not inform me about a piece of legislation that I really did need to know about. So that worked real well. Only rarely did I take such matters to the Regents. But I did four or five times.

On the Regents' Agenda

Gardner: Third, the Regents' bylaws specified that all items going to the Board of Regents must come through the president. Now, that includes regents.

Lage: Includes things the regents initiate?

Gardner: Yes, they had to come through the president. And the president fixes the agenda. The only exception to that is if a regent wants something on and the president is unwilling to put it on, the regent can go to the board and ask the cognizant committee that would consider it initially to vote unanimously to put it on, or failing that, to ask two-thirds of the full board to put it on. That didn't happen, although it could. So the authority over the agenda, which is not a small matter--

Lage: No, I wouldn't think so.

Gardner: What goes on, what doesn't go on, which month it goes on, which month it doesn't go on, how it's phrased, the language in the recommendation to the board, the course of action that's being proposed, the coordination of that with other issues that bear upon the same matter, the politics of it, and so forth--all this is the president's responsibility and, in my view, is not delegatable.

Lage: You gave that a lot of thought, it sounds like.

Gardner: The sequencing of the items--these all bear upon how well or how poorly Regents' meetings will go.

Lage: Who assisted you with that?

- Gardner: Fran Essig helped me early on, and then later Joan Rogin.
- Lage: What would be her title? Is that the director of coordination and review?
- Gardner: Yes.
- Lage: I remember Dorothy Everett seemed to have that function.
- Gardner: Fran Essig worked for Dorothy Everett when I first worked on these matters, and then Fran worked with me directly, and then I put Fran under Ron Brady to coordinate it in a more effective, comprehensive way. It varied over the course of the years. It was a big job.
- Lage: So that was something you reserved for yourself, setting the Regents' agenda, or planning it.
- Gardner: That's correct. In the last four or five years, I had Ron Brady handle that for me. Now, he had people under him doing it, Joan Rogin doing that, the staff work, but he coordinated it all.
- Lage: So he did that kind of political planning.
- Gardner: Yes, and he made sure that it was done in a timely way, and he was a tough enough guy to get it done properly, and he did. That was crucial. That's the third area.

On Relations with the Regents

- Gardner: And the fourth area is relations with the regents. I mean, it's not possible to have the chancellors calling the regents and special pleading, or the vice presidents doing so, and so on. The only way you can prevent that is for the president to assert himself in the matter and make it clear that he's doing it and no one else is except at the president's behest.
- Lage: Now, was that something new, or has the president always done that?
- Gardner: The presidents always had that authority, but whether it was exercised as assertively or not varied from president to president.
- Lage: Did you look to any one of your predecessors as a model?

Gardner: No. I knew how I wanted to do it, and why. And it worked.

Ceremony, Symbolism, Protocol, and the Desk

Gardner: Let's see what else, oh yes, there are certain ceremonial obligations that attend the office, and that's something only the president can do.

Lage: Meeting with heads of state.

Gardner: Heads of state, and distinguished visitors to the university. If they're on a campus, well, then the chancellor carries a lot of it. Being close to Berkeley, of course, it was always a complication in terms of the chancellor's role and the president's role, but we worked it out.

Lage: In terms of visitors?

Gardner: Yes, in terms of heads of state. For heads of state, this was a problem.

Lage: Was that a sore point?

Gardner: Not a sore point, but it was not easy to work out always. But we did. I worked it out with Mike [Ira Michael Heyman] and it was fine.

Lage: Protocol.

Gardner: Protocol. We worked it out. And if in doubt, I conceded a little. I didn't have any ego there; it was just a matter of preserving the integrity of the office.

Lage: And making the head of state feel he's been properly attended.

Gardner: That's correct, as they all know.

Lage: But if it's at UCLA it doesn't come up, is that correct?

Gardner: Oh, it did come up, surely. So there are the ceremonial aspects of it.

Next, there are times when only the president can speak for the institution, and therefore, one must necessarily deal with the press. After Regents' meetings, for example, I always met

with the press. I would have others with me, but I would carry it. So there's the spokesman role.

Then there's the symbolic role, with alumni and others for the whole institution.

Lage: But that could take all your time, if you didn't make choices here and there.

Gardner: Well, you have to trade off. [laughter] So those are just by way of illustration certain things that really only the president can do.

And finally, there were recommendations to the Regents for the appointment of key officers and the need to maintain control of the basic policies of the institution and make sure they're being followed, make sure that the audits are being done in a timely and appropriate way, assess the performance of key officers and seek to strengthen their effectiveness or, if necessary, to effectuate a change in personnel, and a variety of things that really only the president's office can do. I tried to confine my time to those issues, and essentially gave away the rest to others. It was essential, of course, for me to know what was going on in the university: major problems, minor ones on the way to becoming major ones, morale, and so forth. That required a great deal of time--reading, visiting, meetings, calls, et cetera.

Lage: It wasn't hard for you, it sounds like, to give things away.

Gardner: Not at all. No, I had plenty to do. An institution of this size, that's the only way it will work. I can't be second-guessing the chancellors.

Lage: What did your desk look like?

Gardner: Quite clean. I learned that from Charlie Hitch. Charlie Hitch would never go home at night without his desk being clean. Now, I didn't have any sense of compelling need to have a clean desk as against a cluttered one, but it was merely a way that I could be confident that I covered the business for the day. I didn't always succeed, but generally I did.

Lage: Okay. So if you had to describe your management style, would you describe it as consultative, or hierarchical, or how?

Gardner: It's both. I know there have been criticisms that my style was unduly hierarchical. But that's criticism from people who basically did not know how it worked or who themselves had never

exercised comparable responsibility. It was hierarchical in the sense that there was a clear fixing of responsibility for both decision making and for accountability. There's no merit in making anything ambiguous about that. I worked very hard in structuring the administration to fix the burden of decision making and the accountability with a given office. Whoever occupied it, it's the office that carries the authority, not the individual. I was, I think, quite scrupulous about that, trying to make it crystal clear who's responsible so if there were a problem, people wouldn't try to pass it off on one another. In that sense, it was hierarchical.

In terms of practice, it was comporting with the traditions of the University of California, which means extensive consultation, widespread discussion, careful review, respectful of various opinions and advice that you receive, and ultimately, of course, the decision is made, but only after that kind of consultation. I did that with the Academic Council with whom I met every month during the academic year. I met twice or three times a year with the Academic Assembly. I met once a month with all the chancellors. I met weekly or biweekly, depending on the month, with the vice presidents, and so forth. I met quarterly with the presidents of all the student bodies. I met semiannually, I believe it was, with the Staff Assembly.

Lage: So we have to add meetings to this list of things the president had to do.

Gardner: Oh, my, yes.

Communications: Personal Contact versus Letters

Gardner: One other thing: I wrote very few letters. The letters that I sent out over my signature, 95, 98 percent of them were prepared by my staff. A letter would come in and I would never see it, unless there was a sense of urgency about it. It would be sent by Nancy to the appropriate vice president for staffing or handling.

Lage: What kind of a letter would we be talking about?

Gardner: A letter of complaint, or a request, or a suggestion, or a threat, or an administrative memo dealing with certain issues. If it were in the area of agriculture, Jim Kendrick would get it for staffing. If it were in the controller's office, it would go to Ron Brady. If it was dealing with one of our academic

programs, it would go to Bill Frazer. If it dealt with the hospitals, it would go to Con Hopper, and so forth.

When they received it, their job was to prepare a response for me. Or if it was a matter that didn't warrant a personal response even though it was written to me, they would answer for me.

Lage: Over their own signatures?

Gardner: Over their own signatures. Nancy determined the assignment of the task. She had staff helping her on this, of course, because the volume of it was unbelievable. And she determined when the response was due back in my office, and so forth. And if more than one vice president was implicated, they had to coordinate the response, and they had to sign off on it. There's a very carefully drawn system here which I did not put in place, but which has been in place for years and is very good.

I would then probably never see 95 percent of the correspondence. The correspondence that came back to me for consideration would come in a folder. All the pertinent materials bearing upon the response that had been drafted for my signature were on the left side of the folder, so I knew exactly what was going on. Then there would be a cover note from the vice president explaining why the draft was prepared the way it was, where the mine fields were, and other problems.

Then I would read the letter, and if it made sense to me, I would sign it. I would often catch problems, however.

Lage: These are the hard ones that must have come back that way.

Gardner: Of course. My day usually consisted of making decisions on issues that others were contending about. But for me, the problems would just jump out at me for some reason. And Nancy often commented on that. She would say, "How did you pick that up?" Because she missed it, and she was wondering why she missed it when they just jumped out at me.

Lage: Political things, I'm gathering.

Gardner: Yes. They would come right out at me, and I would say, "You know, you haven't thought about this, or that turn of phrase will turn that person off, or you haven't consulted over here, or it's deficient in this respect," and I would send it back. Then they would get it straight, but generally, it was very well staffed, and I was able to sign off on them without further consideration.

When I had business to do directly, I would only occasionally draft a letter. I would usually pick up the phone and talk to the people. First of all, it was easier to telephone; secondly, it was less expensive; and third, I would often find out things that I wouldn't otherwise have known if I had written to them rather than to have spoken to them. Moreover, before writing, I wanted to make sure that my sense of it comported with their own so that they were not then obliged to write back correcting my assumptions and so forth. So I would do it by telephone, or I would do it in meetings, or I would have Gloria call, or I would have Janet Young call, or I would have one of the vice presidents call.

Lage: So the tone of voice and the interplay told you a lot.

Gardner: Yes. And often, I left myself some running room because I would ask a staff person or vice president to make the initial contact, and that gave me an ability to understand all the views on a particular issue before I had to express myself on it. That was just easier for everybody.

Lage: We're talking in such abstract that we should clarify--would that be followed with a memo or a letter?

Gardner: It just depended. Often I said, "Hey, it's okay, do that." Or, "Don't do that." Or, "I'll send you a note in which I indicate my views on this," with great care and in detail. This dealt with policy issues, with personnel matters, with political problems we were confronting, with the interests of regents in certain matters, legislative problems, fights between chancellors, budget issues--I mean, almost everything.

Lage: So the hard questions came to your desk in one way or another.

Gardner: Yes.

People don't have much of an understanding of what the president does. Generally speaking, if an issue is susceptible to easy resolution, the president never sees it. What the president tends to see are those issues over which people are in sharp disagreement. Therefore, one has to be very careful about handling it. You can't just be indifferent to the substance of an issue simply to make people happy, but you can handle the substance in such a way that people at least feel as though they've been heard and their views have been allowed for and so forth. That's why I was very careful.

Now, it's going to be very hard for an historian to reconstruct my administration in that sense, because most of it was done by telephone or in meetings or in person.

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Lage: When you had things to learn, did you learn by reading or by being briefed?

Gardner: Briefed. I can't talk to a letter. Most letters that people sent in were well prepared and thorough, but I almost always had questions. Moreover, language is subject to interpretation. So I always preferred to be briefed. A little more burdensome, but I benefitted from it. I preferred to talk with people about important issues and not just rely on the written word.

Lage: So it's true, a lot of things are not in the written record.

Gardner: The written record is not nearly as clear as you think it is. And often, the person who would have been confident about his or her views in a memo, after we talked, was less confident. Not because I might have had a contrary view, but because they hadn't thought about some things. So I found briefings to be very helpful, and I preferred them.

Lage: Well, since you didn't write much down and there aren't all the memos to file, I hope you feel free to discuss things fully in this oral history.

Gardner: Oh, I am.

X RELATIONSHIPS WITH "CONSTITUENCIES"

The Campuses and their Chancellors

Mike Heyman and Chuck Young

Lage: I think we should go on to the chancellors, because that's a big topic. Let's start at the beginning, your initial contact.

Gardner: When I was being considered for the presidency--I discovered this after my appointment, not before--Chancellor [Charles] Young [UCLA] was under consideration, and Chancellor Heyman [UC Berkeley] as well. Maybe others. I do not know all the particulars, but I do know that either one of them, I think, under certain conditions, would have been willing to serve. So when someone other than an active candidate is appointed, it's always a point of awkwardness, especially if those not chosen are senior, respected chancellors in the system.

Fortunately, I knew them both. I had known Mike Heyman for twenty-five years, and I had known Chuck Young for twenty-five years.

Lage: Heyman had only been chancellor for three years at that point.

Gardner: Yes, but I knew him when he was a professor of law. He had chaired or was a member of a presidentially-appointed committee to investigate the student unrest at UC Santa Barbara in the late 1960s.

Lage: Oh, how interesting.

Gardner: Yes, he was very much involved in that. He either chaired it or was on the committee, I forget which. So I came to know him. And Chuck Young and I knew each other because we were both in Berkeley together for a period of time in the early 1960s. We

were about the same age when he was appointed chancellor at UCLA in the 1960s. I was a vice chancellor at Santa Barbara and therefore in the southern part of the state, and would see him with some frequency. So I knew them both.

Chancellor Heyman, I think, tended to view the president--I don't mean me, but whoever was in that office--not as a threat to him personally, but believed that if the president's visibility or presence was increasing, his would be correspondingly diminishing. He tended to see it that way. This was unique to Berkeley, because Berkeley was where the president's main office had been located for over 100 years.

Lage: He saw it as a rivalry.

Gardner: He saw it as a trade-off--something of a rivalry, although none of this was personalized. We really got along. But there was that. So my interest in contacting alumni was somewhat resisted there or at least it was not encouraged. Frankly, I was not really made to feel welcome on the Berkeley campus. That's the truth of it.

Lage: Was this your perception of how you were treated, or things you heard from others?

Gardner: No, I think that was the reality of it. It was both.

Lage: How did you get this feeling?

Gardner: Well, I was not invited to many functions that the president would ordinarily be invited to. And when I would be invited and attended, I was often not acknowledged as would be customary.

Lage: My goodness.

Gardner: And it was clear that it was not thought to be overly appropriate for me to be on the campus with any frequency.

Lage: Would these be similar types of functions that you would have been invited to at UCLA or Santa Barbara?

Gardner: Oh, sure. I was regularly invited to UCLA and to the other campuses. That was the contrast. I was consistently made to feel welcome at all of the other campuses.

Now, if I did not have a cadre of friends at Berkeley, if I had not known the Berkeley campus, it would have been very difficult for me. But as it was, I had a lot of friends at

Berkeley and I knew the Berkeley campus quite well, so it was not quite as stark a situation as it might otherwise have been.

Toward the end of my administration, Chancellor Heyman came visiting one day and said he had really made a mistake in this matter and wouldn't do it again if he had the chance.

Lage: So he brought it out finally.

Gardner: Yes, he acknowledged it. I never said anything to Mike, never said a word, but he raised it with me. And that was one reason why I thought maybe it was best if the president's office were not in Berkeley, not only because of the issue we have been discussing, but also because we were always caught up in all of the political activities at Berkeley--we would be caught up in it. University Hall would be implicated in it, such as with divestment and animal rights and other things. The president's office was the object as often as the Berkeley campus was of these protests.

Lage: In the public eye, there wasn't as much distinction, perhaps.

Gardner: That's right. And then there was always confusion in the minds of the media as well as of the public about who was responsible for what. Sometimes people thought Mike was president and I was chancellor. It was confusing to people. And the Berkeley campus felt that we were there looking over their shoulder, and the other eight campuses thought Berkeley had a great advantage because they thought we were their captive. So it was a no-win. I found that a significant part of the time, the time of our officers in University Hall, in the president's office, was taken much too much with activities of the Berkeley campus that had almost nothing to do with the rest of the university. Some issues, of course, involving Berkeley also implicated the entire university, such as divestment did for two years.

Lage: You don't think it would have affected the president's office if it were elsewhere?

Gardner: No, absolutely not. Because when we moved to Oakland in 1989, that's the last time we had any problems. There's no question that there were feelings within the university about our being at Berkeley. There were feelings about the president on the part of people at Berkeley. The amount of time and preoccupation with issues that were right under our noses, as it were, had a disproportionate impact on how we spent our time, obliged, as we were, to serve the entire University of California, not just Berkeley. I'll describe that in more detail when I talk about

our move from Berkeley to Oakland, but that was part of it. So it was not easy at Berkeley, but generally not personalized.

Then at UCLA, my understanding is that--indeed, my understanding from Chancellor Young himself--was that he was unfriendly to my appointment.

Lage: He came right out with it, at the beginning?

Gardner: Well, I had heard about it, but he volunteered it. I didn't have to say anything.

Lage: What kind of a person is Chuck Young?

Gardner: He's a very capable chancellor. Look at UCLA.

Lage: They've done well.

Gardner: He's done a superb job there. Vigorous, aggressive, he's not lacking in confidence. And he, for whatever reason, was not friendly to my appointment. Indeed, there was some effort to prevent it.

Lage: Was this because he wanted it himself?

Gardner: I don't really know. I don't know. I never asked him that.

Lage: But he came right out with the information.

Gardner: Yes, he did. And I had been told, by friends anyway, that I ought to watch myself and so forth. I said, "Well, we'll see." After I was appointed, he was correct, but not real friendly. But within a matter of, I think, six weeks to two months, he completely switched. The Regents were meeting at UCLA in the fall of 1983, shortly after my appointment. And of course, being at UCLA, Chuck was hosting the board, and he therefore was presiding at the dinner. This was with all the regents and the other chancellors and the vice presidents present.

He got up and welcomed everybody, and then he said--and I'm paraphrasing, as best as I can remember it--he said, "Well, most of you will know how unfriendly I was to the appointment of Dave Gardner as president. I want to tell you how mistaken I was and how pleased I am with the way he started his work here at the university," and he went on and on and on. And ever since then, throughout my administration and without exception, he was a loyal, competent, constructive, and committed member of the team.

Lage: What happened to change his mind?

Gardner: I don't know. I never asked him. I figured if he wanted to tell me, he would.

I also got along with the other chancellors. I knew most of them, and I was invited to this function and to that function, to this alumni thing and to that, but that was not true of Berkeley.

Lage: So the invitations just didn't fall.

Gardner: They did not. Another example of it was, I had worked for four years at the Alumni Association, as you'll recall. The *California Monthly* is a publication of the Alumni Association. Well, my appointment as president was reported in the back pages of the *California Monthly*, and I got the message in a hurry. It was much more prominently displayed in the alumni magazines of the other eight campuses.

Lage: Did you have a particular way of dealing with that?

Gardner: I ignored it, as best I could. It was almost as though there was no president's office in the reporting of that. I thought, Well, that's interesting. I got that message.

And then one time maybe three or four years after my appointment, a good friend of mine who will go unnamed said, "Why aren't you more visible?" I said, "I don't want to hear about it." This person was tied in with the *Cal Monthly*, and a good friend for many years. I said, "Has the alumni association and the *Cal Monthly* in particular ever once since my appointment undertaken to ask me about my views of the University of California? Have you ever undertaken to interview me? Have you ever sent any reporter to talk with me about where the University of California is going, and the problems and the opportunities we have, and where Berkeley fits into it? The answer to these questions is no. So I don't want to hear that criticism coming from those who should be helping me do my job rather than being indifferent about it, if not hostile."

Lage: Well, they did run a couple of items.

Gardner: Shortly thereafter, they ran a cover edition of the *California Monthly* with a Q&A, which is their style, and it was very well done. [See Appendix] I have no criticism of how well it was done. But that's why it was done. If I had said nothing, it would never have happened. I'm still not sure if this was a result of the general attitudes at Berkeley toward the president or that I was a more conservative person than the *Cal Monthly* staff, or what. I guess it doesn't make any difference. The fact is the *Cal Monthly* and the Alumni Association at Berkeley

essentially ignored both my appointment and my work as president for three-plus years. It didn't help.

Lage: Quite interesting.

Gardner: Yes.

Chang-Lin Tien

Lage: What about when Chancellor Tien came in? Was there any change?

Gardner: Yes, completely different. He would seek my counsel on a regular basis. He would make sure I was included.

And this sounds quite critical of Mike; I don't mean it to be critical of Mike, because we got along fine, and we had a lot of tough problems that we dealt with, and I think quite effectively, together. There was this dimension to it, and I think he would acknowledge it. I think he was well intentioned, as he saw it. And it was certainly never personalized, but it was not an endearing part of the experience I had at the university.

Lage: It does sound like it has a history. Clark Kerr has his very amusing stories about Sproul when he took over his--

Gardner: I know it, absolutely. I think they're all true. In any event, Tien doesn't have that view at all. Tien was a team player. Of course, I was responsible for his appointment.

Lage: Yes, that would make a difference.

Gardner: It made a difference.

The Chancellors as the University's Line Officers

Lage: Let's talk more about how the president does relate with the chancellors.

Gardner: I regarded the chancellors as the university's line officers. They are the ones who are on the line making most of the decisions affecting the work of the University of California. I

am one step removed. I regretted being one step removed, because I enjoyed being on a campus, as I was at the University of Utah.

But having been on a campus and having had my own campus, my own university, as it were, I knew that the chancellors needed to be responsible for their places. I didn't have to have anybody tell me that; I knew instinctively what discretion, what authority, what range of freedom they needed to do their jobs. And I never knowingly interfered with them. In fact, I think that's one of the things that Chuck Young understood early on and appreciated.

Lage: Made him feel secure.

Gardner: Yes. They were secure. I didn't interfere with them. I wanted them to keep me informed, and if they wanted my advice, I was happy to give it to them, but I rarely called them. They would call me on these issues. They were the principal administrative officers of the university in terms of the actual daily work of the institution itself. I saw the president's office as one that, on the one hand, made decisions that controlled their work overall--

Lage: When you have the final say.

Gardner: That's right. But on the other hand, I was there to support them as best I could. That's kind of the way I looked at it.

Lage: In the David Saxon interview, the issue of centralization, decentralization, and where the line is drawn seems very strong.

Gardner: Much of that was worked out during Dave's administration.

Lage: So you didn't have to deal with that?

Gardner: Not much of that at all, and indeed, there was hardly a month went by that I didn't delegate some additional authority to the chancellors, without their asking for it, by and large.

Lage: It just seemed like the proper way to go?

Gardner: It just happened. I said, "What are we doing this for? Let's give it to the chancellors." Or Chancellor Young would call, or Chancellor Peltason would call and say, "What are you doing making these decisions?" And I would say, "I agree. I don't think we should be making them," and we would make the change.

Lage: What kind of decisions?

Gardner: Oh, on personnel appointments. The president's office reserved a certain authority there, and I delegated a lot of that out. On the authority of the chancellors to spend above a certain amount for capital improvements; I dramatically increased the level of delegated authority. The authority to fix fees that the students had approved. A lot of things like that. I did what I could to delegate it, and I never really felt that was a big problem.

Lage: So that wasn't a hot issue during your presidency.

Gardner: No, not during my administration.

The Council of Chancellors

Gardner: I would meet with the chancellors once a month.

Lage: Was that the Council of Chancellors?

Gardner: Yes.

Lage: Who set the agenda for that?

Gardner: I set the agenda, but it would be set with their input. For example, if they wanted to put an item on, we would put it on, unless I thought it was not timely, or it was a half-baked item, or it was patently self-serving. Other than that, I would put it on. But if I thought it shouldn't go on, I would say, "I'm not going to put that on," and I would explain why.

Lage: And then would you have to answer to them for that?

Gardner: I would just tell them I was not going to put it on, and why. So I didn't. But generally, we didn't have disagreements on that, we really didn't. We'd deal with it separately.

Lage: How was the relationship different from the relationship with the Regents? I don't even know if that's a good question.

Gardner: Well, it is. The fundamental difference is that I reported to the board and the chancellors reported to me, so that makes a big difference. [laughs]

Lage: Up and down.

Gardner: That's right.

Lage: But you also set the agenda for the Regents.

Gardner: Yes, that's right. That's correct. However, it wasn't all my items. I would put their items on as well if I thought they were ready to be discussed. So when I say I fixed the agenda, I don't mean I did it unilaterally. Janet Young worked with me, for example, and Gloria before her, and Ron Brady and the others, and we would send out a notice to the campuses saying, "We're planning the November meeting of the Council of Chancellors. Are there items you want on?"

Lage: What kinds of things? There must be minutes.

Gardner: There were no minutes, but our records should contain copies of the agendas. Notes would have been kept by Janet Young for my use. We discussed everything from how much should be charged for student fees, the purposes to which student fees should be put, whether there should be a differential in fees between undergraduates and graduates and professional schools and graduate and so forth; items that were going to go to the Regents; items that we didn't know whether to send to the Regents, or if they should, when, and in what form; changes in policy; legislative matters that I wasn't really sure about what we ought to do and I wanted their advice--

Lage: So these were universitywide matters?

Gardner: Universitywide matters. Almost no campus-specific, unless what a chancellor was thinking of doing on a campus-specific matter would also implicate all the other chancellors in terms of pressures they might be facing. Then we would put it on. But if it was strictly local, strictly campus, say just Irvine or San Diego or Santa Cruz, we wouldn't put it on, we would deal with them separately.

Lage: You might have a consultation.

Gardner: Yes. But if Chuck Young had in mind doing something on, say, the use of facilities that was a sharp departure from practice, you may be sure that students at Berkeley would be asking for the same thing, and Irvine would be asking for the same thing. So he wouldn't do that without everybody saying that's either a good idea or a bad idea, and then we would discuss it.

So those are what the agendas consisted of. We would meet generally from about nine-thirty, I think, until two or three.

Lage: Was there a leader among the chancellors, or a strong figure who stands out?

Gardner: Well, Chuck and Mike were the dominant parties, in the sense that they're both big men, and not reluctant to speak, and both strong people, and that they represented the two largest campuses. In that sense, they might appear to be the more dominant, but they weren't necessarily. On some issues, yes, they would be, but on other issues, they would not be.

Chuck--[laughs] he's a fairly volatile person. He would get exercised over some issue, and he would jump up and start walking around the table and talking, expressing himself. I would sit there, and he would run down a little. I would say, "Well, are you finished? Can we go on?" We'd all laugh and the meeting would proceed. I never took a vote.

Lage: Oh, you didn't?

Gardner: No way. Never.

Lage: Why is that? What was your thinking behind that?

Gardner: Because they were advisory to me. They were not a legislative body. I'm not the governor and they're not the legislature, and I wouldn't say they were only my cabinet. They were my colleagues, and I valued their advice, but I was not going to force people to vote one way or another. They were giving me their individual, not their collective, counsel, and then they expected me to make a decision for the university as a whole.

Lage: Would you go around and poll them, but just not do it in a vote?

Gardner: I would not really poll them--you don't have to ask them, you know what their views are. Sometimes on a very complicated issue--

Lage: Give me an example, now.

Gardner: Well, on divestment, they were split. I never could reconcile them, and therefore, I did what half of them didn't want me to do and the other half thought was correct. But they all knew I did it for reasons that I thought were sufficient, and not for political reasons or because I was succumbing to pressure from one party or another.

Lage: Right, and we're going to talk about that more later.

Gardner: Yes, I'll talk about that when I get to it.

Some of the chancellors, for example, on the first Voluntary Early Retirement [Incentive] Plan [VERIP], '91-'92, wanted it;

others didn't want it. And the reason that they had a different view was they had different age faculty. And they also had a situation where some of the more senior faculty were somewhat less well known and distinguished than some of the junior faculty.

Lage: You mean on certain campuses?

Gardner: Yes, and the reverse was true on other campuses. So they were representing their campus, and it was not easy. I mean, it was hard.

Lage: Chancellor Tien took a pretty strong stand.

Gardner: He did, but that was one year after I had retired. President Peltason had succeeded me by then. Well, that's an example of it. But Chancellor Young took a position equally strong on the other side of it, as I understand it.

Lage: Was his campus one where the younger faculty were more prominent?

Gardner: His situation was not the same as Berkeley's, so it's not surprising they would disagree, and they did disagree. Then the president has to figure his way through that without being unduly--well, without being indifferent to these problems, but nevertheless, making the decision and taking the institution as a whole as his referent.

I would say that there were very few times when we were really in sharp disagreement. I could count the times on the finger of one hand. If, for example, there was a difficult issue that they all seemed in agreement on, as at Utah, I would take the opposite position, not because I believed it, but because I thought: they're not thinking about it. This is much more complicated than they think it is. Then I would put that on the table, and then we would get a good discussion. But we would usually talk our way through to a solution. Not always, but generally we would, and then I didn't have to take a vote. I would say, "Okay, that's what we're going to do." Or if there were still two or three that were quite concerned, I would say, "Well, I'll think about it. Any of you can give me a call if you like." Then I would make a decision a few days later.

Lage: Did that satisfy them, or did they ever push to be a legislative body?

Gardner: No, never.

- Lage: Were there differences of need or opinion between Berkeley and UCLA being the large and established campuses, and the newer campuses?
- Gardner: Oh, sure, all the time.
- Lage: How did you come down on that?
- Gardner: For example, the university earns a lot of money, millions and millions of dollars, on the overhead charged to federal contracts and grants. The state takes half of it and the university keeps half of it. Well, what do we do with our half? How do we allocate it among and between the campuses?
- Lage: You don't allocate it back to the ones that brought the grants in?
- Gardner: In part, but in part not. Therein is the fight. I mean, you take Santa Cruz; they generate relatively little money. But they're a newer campus, they have a more constricted curriculum, their facilities are not as capable of accommodating major research grants, as, say, Berkeley's or UCLA's or Davis's, and yet you can't just give them nothing. The campus needed to be building for the future like everyone else. And yet if you give them something, you're taking it from another campus that's earning it. So these are the kinds of disagreements that would occur.
- Dick Atkinson, for example, was very vocal on this issue, very vocal on this issue. It will be interesting to see what he does as president.
- Lage: What side did he come down on?
- Gardner: He thought that the campuses that earned it ought to be getting it. We worked out a compromise wherein a certain percentage of what was earned campus by campus was given back to them, but not all of it. Then the rest was allocated on a different formula. We would negotiate that about every other year.
- Lage: Those are thorny issues.
- Gardner: They are tough issues, so those are the things we would work on. But I never took a vote, and they never wanted a vote to be taken. I knew what their views were after we discussed it.
- Lage: Was it hard for them to look at the larger system's interests?
- Gardner: No.

Lage: Or did they see themselves as part of the system?

Gardner: They saw themselves as part of the system; they also saw themselves as representing their respective campuses. So they would argue for their position, which is what they should do, and my job was to try and find a way through that mine field to some kind of reasonable outcome. That was an important part of the job. Often, at the end of these discussions, I would say, "Well, this is what we're going to do." And then we would go on to the next item. Then at the end of that, I might say, "I'm not sure what I'm going to do, and I'll let you know in three days," or something. "If you want to call me, call me."

Then I would sit down with one or two vice presidents who had special interest in that area, and we would talk it over. Then they would go out and call two or three chancellors to see if that was a reasonable approach, and then if they thought it was, and so did I, then I would make a decision.

So, to get back to your question on management style, it's a management style hierarchical in the sense that I described it, but it's surely not hierarchical in the sense that decision making fails to take account of people's views. We had a very systematic way of getting those.

Then with the vice presidents, I would talk with them before each Council of Chancellors meeting and we would review much of the same material, so I was really ready when I went in with the chancellors.

Lage: But the vice presidents didn't go with you?

Gardner: They did, for the afternoon. In the morning, I would take up issues that were either especially sensitive, or the chancellors wouldn't want one of the vice presidents there because they wanted to feel free to express themselves, if they thought our staffing was poor or inadequate or biased or whatever. Then in the afternoon, the vice presidents would join us.

Lage: The chancellors did think the staffing was poor?

Gardner: They might think it was poor. They sometimes thought it was poor. Sometimes they were right. [laughs]

Lage: Were they pretty forthright with you?

Gardner: Oh, yes. I never felt that they were holding back, I assure you. And I would tell them what I thought, but I usually would reserve my thoughts until I heard them out, just as I did with the

Regents. I was not the first to speak, in other words. I was usually the last, because I always benefitted from the discussions. I could change my mind right in the middle of the conversation.

Lage: They must have been persuasive.

Gardner: They were. And if they weren't, I would say, "Well, you're not persuasive. At least; I don't think you're persuasive. Any other argument you can bring to that? This one is flawed in the following ways."

Lage: Was it a good feeling most often?

Gardner: Yes, I enjoyed them. Intellectually, it was challenging, because these were tough issues, and there was a lot riding on them. And I enjoyed them. I didn't regard it as a chore. I thought it was fun, mostly.

I worked with the chancellors on a regular basis, not just at our Council of Chancellors meetings. They felt perfectly free to call me, I felt perfectly free to call them, it was an easy working relationship with all the chancellors.

Lage: How often would you talk to them? Or did it vary?

Gardner: Once every other week, each one. Sometimes two or three times a day, depending on the issues and the problems.

The Answer versus the Solution

Gardner: Now, let's see. There are two or three things that were quite funny. I remember once we were discussing an extremely complicated issue--I can't remember what it was, but I remember it was very difficult, and the chancellors had been arguing about it. Bob [Robert L.] Sinsheimer, the chancellor at Santa Cruz, who was one of the nation's leading microbiologists and a quiet, very fine scientist, didn't participate that actively, but when he did, he had something to say. He said, "Well, you know, Dave, it seems to me the answer to this is almost self-evident." And he went through each of the factors, just like he was constructing an equation, and said, "And therefore, all these factors equal this answer. That's the answer."

I said, "You know, Bob, the trouble with you scientists is you think the answer is the solution." He said, "What do you

mean?" I said, "That may be the answer. It's not the solution." And I went on and told him why it wouldn't work.

Lage: You were taking the political aspects into account?

Gardner: Yes. You have to allow for it. I had to allow for it. He was not allowing for it.

He gave a commencement address at Caltech not long after that and used that example as a warning to would-be scientists--

Lage: Who might become administrators? [laughter]

Gardner: Who might become administrators.

Lage: How did he handle the political things on his own campus?

Gardner: Oh, I don't know.

Lage: Santa Cruz must not be an easy campus to administer.

Gardner: But you know, if you really think the world is wholly rational, you will have more trouble succeeding in these positions.

Lage: Now, you seem like a very rational person.

Gardner: I am.

Lage: But you don't think the world is?

Gardner: No, not at all. Not in the least. It's driven by biases and prejudices, self-interest and greed and you name it, it's all there. And you have to allow for the politics.

Lage: Right, and that's being rational.

Gardner: Yes, being rational. [laughs]

Chuck Young's Decibel Level

Gardner: Then there was another time that Chuck Young had been working very hard to get Norton Simon's superb collection of art donated to UCLA, and he nearly succeeded, but Norton was not a fully predictable person. Finally he pulled away from it at the last minute, and Chuck was distressed. He had put a lot of time in, and it would have been a great coup if he had succeeded.

Then there was another collection that they were trying to get for UCLA, and he had been working with this donor right after working with Norton Simon. So Chuck really wanted that to succeed. He wanted it to succeed to the point where he had made certain concessions to the donor that general counsel and my staff thought were unwise. I agreed with them.

I then decided to call Chuck and share my concerns and suggestions. General counsel was on the phone with me. I called Chuck and said, "Do you have the document in front of you? It's been staffed here, and we have solved all but maybe eight problems, and I think you and I, general counsel, and your colleagues there ought to go through those eight and see if we can settle this and get it to the Regents' meeting."

So we started in, and every paragraph that I had some objection to, he would say why it was the right thing to do, not the wrong thing to do. And as we went through the eight, every time I went to the next one, his decibel level went up. It wasn't long before he was shouting on the telephone, going on and on and on. I should note that this was a conference call using the speaker phone.

I said, "Chuck--" He wouldn't answer but would just keep going. I'd try again to get his attention. "Chuck--" He'd then ratchet up the decibel level rather than respond. I finally said, "Chuck!" with some conviction in my voice. He heard that and said, "What?" "I can hear you," I observed quietly. "Oh," he said, "am I shouting?" I said, "Yes, you are." "Oh, I'm sorry, I didn't mean to shout." So then we went right on and finished up the job.

Lage: And did the donation come through?

Gardner: It never quite worked, but it wasn't because of any fault of the chancellor or our office. But that's how I worked. I am a low-key person, quieter than most of my colleagues were. It was a funny conversation.

Lage: That's great.

Gardner: So these things happen, and as those kind of pop into my mind, I'll share them with you.

The Process of Appointing Chancellors ##

Lage: I want to ask you about appointing chancellors, especially those who were controversial or didn't work out.

Gardner: Yes. There were seven chancellors appointed while I was president. I did not have a free hand in it. One has to honor the procedures, which we did.

The policy is very clear. When a chancellor position is open, the president is obliged under the policies of the board to constitute a search committee. The committee is composed of five regents, five faculty--three from the campus affected, two from other campuses--one alumnus, two students--one graduate and one undergraduate--and one member of the staff.

Lage: Was that in place when you came?

Gardner: Yes, it was. Pretty much that; I changed it slightly, but I think that was it, by and large. The chairman of the board would sit down and--I wouldn't make these appointments to the search committee solely at my initiative, by the way.

Lage: Oh, you wouldn't?

Gardner: No. Well, I mean, I did, but I made the appointments from lists submitted by the interested constituent groups. So before the chairman of the board would appoint five regents, he would always talk with me about who he wanted to appoint, and then we would settle it. The same with the Academic Senate; they would come and they would say, "Well, we have fifteen who might serve," and then we would settle on the five. I did that all across the board.

Then the president was the chair of this search committee. The search committee was advisory to the president. The five faculty members did the initial screening, after the committee had settled on what it was we were looking for, and the strengths and weaknesses that the campus presented to us, and the kind of person we ought to be looking for. Then the faculty committee would do the screening, and they almost always did, I thought, a very responsible and effective job. They wouldn't always have on the list some people I might prefer, but you have to honor the process.

Lage: Could you, or did you, put on any of your own?

Gardner: Yes, I put some on, but I didn't ask them to accord them any special significance merely because I had suggested them. They would have 200 names and winnow it down to twenty-five.

Lage: Was there a reason why you used the faculty?

Gardner: Yes. They were the best informed. They knew what to look for, by and large. They had the contacts; the regents didn't have the contacts. The students didn't have the contacts. Alumni didn't have the contacts, and so forth. The faculty had the contacts, so I would use them. I found them invariably to be conscientious and by and large pretty effective. They would always insist upon considering the scholarly attributes of the individual, which I thought were important, very important to consider, but they tended to--how do I put it?--take less fulsome account of one's administrative experience. That's how that worked, so I had to allow for that.

Only once did I really have a problem. We were searching for a chancellor--

Lage: Can we be specific?

Gardner: No. The name of a person who was under active consideration kept getting knocked off by the faculty, and knocked off for reasons that I knew were unfair to this individual, because I knew the circumstances where this person had offended certain people, and this person had offended them for all the right reasons. Finally I got down to the short list and this person was not on it, and I inquired again. They said, "Well, such and such," you know. I said, "I appreciate your advice, but the person is going to stay on the list for interview."

Lage: And how did they take that?

Gardner: I don't think they liked it, but they thought, Well, that's the president's prerogative. So that's what I did.

##

Lage: Did that person get chosen?

Gardner: Yes.

Lage: How did the perceived difficulty get overcome?

Gardner: Well, it was never there to start with, which was made evident in the course of the person's service.

Lage: Okay.

Gardner: When the faculty would get it down to maybe twenty-five, it would come back to the committee. Then we would start pruning it down as a full committee, and we would get it down to three to seven, two to five, depending. Then the whole committee would interview maybe three candidates, and then the committee would settle on one.

Then I, if I were comfortable with that, would recommend that single candidate to the board. We would only take one name to the board.

Lage: Was that standard?

Gardner: That was standard procedure. And I think it's a good procedure. I know some regents don't think it's a good procedure, but I think it's a good procedure. Besides, there were five regents serving on the search committee, so it's not as though they weren't involved. That was the procedure.

Now, let's see. Jack Peltason was appointed at Irvine, Barbara Uehling was appointed at Santa Barbara, Ted [Theodore] Hullar was appointed at Riverside and then Davis, then the chancellor at Riverside who succeeded Ted Hullar was appointed, Rosemary Schraer, and Ray Orbach at Riverside after Rosemary's untimely death. And Karl Pister at Santa Cruz, and Chang-Lin Tien at Berkeley. I was responsible for overseeing the selection of those chancellors.

Barbara Uehling, Santa Barbara

Lage: A couple, apparently, were controversial.

Gardner: They were controversial. Barbara Uehling was controversial at UC Santa Barbara. She had been controversial at the University of Missouri, but there she was controversial for all the right reasons. That is, she was making very hard decisions that should have been made and were made by her, and there were a lot of people unhappy about it. But she did okay there.

Now, it was very difficult for Barbara, because she did not know a single person at UC Santa Barbara, not one person. Her husband was a professor in a Middle Western university, so there was no one there for her to share her problems with or support her. Santa Barbara is a long way from my office. Chuck Young, I

think, was very helpful to her. He knew Barbara and had been supportive of her appointment. Santa Barbara had just come off some difficulties with Chancellor [Robert] Huttenback, which I can comment on if you would like.

Lage: Yes, I think we should.

Gardner: There was a lot of turmoil on the campus arising from that incident, people who remained strongly supportive of Chancellor Huttenback and those who were very unhappy with his performance. She got caught up in that tension, as would any successor under those circumstances.

Lage: Was she the first woman chancellor?

Gardner: She and Rosemary Schraer were appointed the same day, and both were in fact the first women chancellors in the University of California--much, I think, to the astonishment of the more activist women's and feminist organizations that I should be responsible for doing that, but anyway. So Barbara had a real tough row to hoe at UC Santa Barbara.

There was also some resistance to her because she was a woman. That's the truth of it. There was on the committee, and there was after she was appointed.

Lage: Was it outright?

Gardner: Yes, it was pretty--it was manifest. It was disturbing to me, but it was there nevertheless. Now, her style tended to mesh less well at Santa Barbara than I think those of us who thought she would do very well there had imagined. It was a difficult mix.

Lage: And you knew the Santa Barbara campus.

Gardner: I knew Santa Barbara very well. But it's also true I had been away from Santa Barbara for a long time, and yet I still had a pretty good sense of the place. But because of all these factors and her own administrative style, it never clicked as well as all of us had thought, and as indeed she would have hoped. So it was a hard period of service for her. Nevertheless, the Santa Barbara campus made a lot of gains during her chancellorship. Whatever people's views of her administrative style and so forth, the campus made demonstrable progress during her service there, and that's the bottom line. And this progress has been confirmed by every reputable assessment of the quality and reputation of the nation's major universities.

Lage: What about her style was controversial?

Gardner: She was a little more formal than Santa Barbara is. You know, there's a southern California style. She was not as informal as the culture, and so I think she appeared to be a little stiff and so forth. In any event, it was a hard thing for her, and she was controversial there. I wish I could have afforded her a little more support, but I did the best I could.

Lage: How long did she stay?

Gardner: She was there I think six or seven years. Six years, I think. That was difficult for Barbara. I think it would have been difficult for anybody who had come in after the Huttenback difficulties.

Background on the Huttenback Chancellorship in Santa Barbara

Lage: Do you want to talk about that now?

Gardner: Okay. Chancellor Huttenback was a serving chancellor when I came. He had been appointed by the Regents on the recommendation of President Saxon. He had been at the Caltech, California Institute of Technology, for many years, very well known there. A scholar of considerable reputation, British colonial history, and I thought he was doing a very credible job at Santa Barbara. He had his interests and he had his disinterests in certain parts of the campus, but where he was interested, there was a lot of progress made. The development of the physics program there, and other programs, I think he can take a lot of credit for that. I thought, on balance, he was doing a good job at Santa Barbara.

Moreover, I enjoyed working with him. He was something of a character, and he was fun to be with, had a very good sense of humor, very impatient with people that he thought didn't measure up to the standards that he thought were appropriate, and so forth.

I forget when this was, '86 or '87 or something, but I received information, the credibility of which I could not judge, that the chancellor was spending university money without authority on his personal residence in Santa Barbara. Well, let me go back a bit. He had lived on campus, he and his wife, when they first arrived at UCSB. There was an earthquake, and a bad one, and University House was damaged. I think it scared them both. It would have scared anyone. In any event, they felt

University House being on campus was a rather isolating place with no one else around, basically, except for students.

They then chose to move off campus. This was before I came. They chose to move off campus, and they did. They undertook to work out a housing allowance with President Saxon and the Regents, and this went through two or three iterations over a period of years. They moved again, and finally got a very lovely home up in the Mission area of Santa Barbara.

When I arrived, Chancellor Huttenback made known his displeasure with the housing arrangement. Not the house, but the housing allowance that the board had made available. So I worked with him, Ron Brady worked with him, and we worked up a proposal that Chancellor Huttenback, Brady, and I could support, and the Regents would approve. The Regents did approve it. In consideration of living in his own residence, he was to receive no more than a specified amount of money per year. A specified dollar figure. That was the housing allowance, and he got that.

Two or so years later, I was informally advised that he was spending university money well beyond the agreed-to housing figure to improve and repair and otherwise maintain his privately owned home in Santa Barbara. I had no idea whether this was true or not. I rather thought that it wasn't true. I couldn't imagine his doing that. But I was obliged, of course, to look into it. So I called Vice President Brady in and said, "This is what I've been told. I think it's our responsibility to inquire into the matter."

Brady took it from there. He was in charge of internal audit. His auditors went down the next day, sealed all the books instantaneously, immediately.

Lage: Is all this done without public notice? This was done on the quiet?

Gardner: Yes. We froze the books, and we had an internal audit team down there immediately. We contacted Huttenback, advised him that this was occurring, and he pledged his full cooperation, and he did cooperate.

What we found was a number of irregularities, as were reported in detail both in the press and in, of course, part of the court proceedings that ensued as well as in the audit reports. He, it turns out, did in fact spend upwards of \$200,000 from university funds, without authority to do so, on his personal home. His rationale was, well, we're using our home to entertain for the university, and we're having to depreciate our

carpet and furniture and china and everything else; and the housing allowance wasn't sufficient to cover it all. But that's in a way like saying if you don't think your salary is enough, you just raise it unilaterally. This was a problem.

It wasn't long, of course, after the auditors were there that this was made clear and the magnitude of it known. We explained to the press that yes, there had been some concerns expressed, the chancellor is cooperating fully in this matter, and the auditors are proceeding. We did receive the report of the auditors, and we indicated to Chancellor Huttenback what was wrong. We asked for his reimbursement to the university of the funds that were spent without authority, which he agreed to do. We worked out an agreement with the chancellor that he would make the university whole. That was signed, and that was reported to the press, and it was reported to the Regents. The Regents acted on it, and that was that.

The chancellor was up seeing me just before this was going to be released to the press. I think it was after a Council of Chancellors meeting, and I asked to see him. It was at Blake House, and we went down to my study. I told him everything, shared it with him, and told him we were going to report this, it would be released to the press as an audit, and so forth.

"Well," he said, "I'm scheduled to go to Asia," I think Korea, "during the very time this is all going to be out." I said, "You may want to rethink the timing of your trip. I should think you'd want to be here." He in effect said--I can't remember exactly what he said, but the essence of it was, "Well, maybe I ought to resign." I did not ask him to resign.

Lage: You didn't think it was necessary that he resign?

Gardner: Well, no, I would have said something to him if I thought it was absolutely necessary that he resign, because he had cooperated fully, he had pledged full restitution to the university, he had done a good job as chancellor, and he was paying a price in terms of the public arena, and I didn't want to just add to it at that point. But I think he felt that this is not going to be viable, so he said, "I think I ought to resign, and so forth, but let me think about it." I said, "You think about it and call me."

Then he called me in a few days and indicated that he would resign. We then worked out an agreement that we would provide him a paid sabbatical. He had earned it both in terms of his professorate there at Santa Barbara and under university policies pertaining to serving chancellors with faculty appointments. And it would be at his initiative--we worked it all out.

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Gardner: I remember saying to him, because this was widely reported in the press, and the Santa Barbara press was having a heyday with it, I said, "You know, Bob, you have this paid leave. I think you and your wife probably would have a more pleasant year if you went to, say, London and worked on your research, or whatever place you want to go. But leave Santa Barbara for a while, let it rest. Go away and take your sabbatical for this year, and then come back to your professorship."

He thought all of this was really quite unfair, that he hadn't meant to spend this money in inappropriate ways, that he had a legitimate reason for spending this money, in fact, that he was incurring these unreimbursed expenses on the house for university not personal reasons--so he didn't fully accept the judgment of the auditors and others as to the circumstances of this matter, and apparently said so rather widely around Santa Barbara, and in the course of it, antagonized a lot of people there, to the point where the D.A. later came into it.

Lage: Who might not have otherwise?

Gardner: I don't know, but I think the chances would have been greatly lessened if the Huttenbacks had just taken off for a year. But, as it was, the district attorney then came in and prosecuted him.

Lage: And won?

Gardner: And he was convicted.

Lage: Good heavens. Did he end up serving any time in prison?

Gardner: No, he was put on probation and given community service. I don't remember what the judgment was for Mrs. Huttenback, I really don't, but I know he was--they were both charged, and I don't know what happened to her, but he was convicted, put on probation, and was given so much community service.

Now, my understanding from various friends is that he suspected we initiated this with the district attorney, which is completely false. Why would we do that? I mean, we did everything we could to facilitate this matter for him. I never had a conversation with the district attorney prior to charges being filed, although I was called to testify to the grand jury and also later during his trial. We surely didn't initiate criminal proceedings against the Huttenbacks. So I think there are some very bad feelings on the part of the chancellor and his wife toward those of us in the administration at the time, but--

and anything we say, I guess, won't be persuasive, but anyway, that's what happened.

It was a tragedy, because under university policy, if a professor is convicted of a felony, it calls his professorship into question. Prior to this, his professorship hadn't been affected by any of this; it was only his resignation from the chancellorship, not his resignation from the university or the professorship that was submitted. He had his full professorship at Santa Barbara in the Department of History, and was a very good teacher, as I understand it, as well. In any event, he was now a convicted felon, and under our policies, his professorship was then necessarily called into question.

So Chancellor Uehling, who had just arrived down there, was obliged as chancellor and under our policies to initiate proceedings. Under our policy she was obliged to initiate proceedings against Professor Huttenback.

Lage: It's not automatic?

Gardner: Well, the outcome is not automatic. But the process had to be honored, so she had no choice, really. She put it in motion, and as you know, a faculty committee basically hears this. The Academic Senate committee found him culpable. He then lost his professorship.

Lage: What has he gone on to do?

Gardner: I don't know. So that was a real sad thing. I felt terrible about it. I'm not justifying what he did, I don't mean that, but it was a sad thing in a personal sense, and nothing that any of us wanted.

Lage: That's too bad.

Gardner: Yes, it is.

Rosemary Schraer, Riverside

Lage: Let's look at Riverside, where I guess there was some controversy over the choice of a chancellor, and I don't know if that was Chancellor [Theodore] Hullar--

Gardner: What happened was that Chancellor [James H.] Meyer at Davis resigned. He was a longstanding chancellor at Davis. Ted Hullar

had two years earlier been appointed chancellor at Riverside and was serving there. Rosemary Schraer was his executive vice chancellor.

I thought Ted Hullar was just right for Davis. His field of study, biochemistry, strong in environmental areas, very energetic, very good with legislators. He had worked with the New York State Legislature very effectively. He was a committed, energetic, lively person, full of ideas and so forth, and I thought, Well, anyone who served successfully for seventeen or eighteen years, as Chancellor Meyer had--and it's not just Chancellor Meyer; it would be true of anybody who serves that period of time--there were always opportunities for a fresh look and so forth. I thought Ted would be just right for it.

The search proceeded for the Davis chancellor, for the Santa Barbara chancellor, and for the Santa Cruz chancellor simultaneously. There were three vacant chancellorships. Chancellor Meyer had resigned at Davis, Chancellor Sinsheimer had retired at Santa Cruz, and Chancellor Huttenback had resigned at Santa Barbara. I was looking for three chancellors. And of course, these are basically the same pool of people.

Lage: But each one has a separate search committee.

Gardner: Each one has, and I was working with three separate search committees, and this is not easy to do, trying to keep it all straight. What it came down to was that I introduced to the search committee for the Davis chancellor the possibility of moving Chancellor Hullar from Riverside to Davis.

Lage: Had he been liked at Riverside?

Gardner: Yes. I don't mean uniformly liked, but yes, he had been liked. People were supportive of him there, and the community was very supportive of him. And based upon that record and so forth, and looking at the pool of available candidates for Davis, the search committee, upon reflection and discussion, then recommended his appointment to me.

Now, Ted had only been at Riverside for two years. To replace him then with somebody else is very disruptive. I thought the least I should do was not drag out the search for Ted's replacement at Riverside. I already had three searches, I was up to my ears in searches, and I was concerned that if we moved Ted and undertook a search there, it would be another year before we could get him replaced, and therefore, two of the last four years you wouldn't have had a chancellor at Riverside, and it wouldn't have been so good.

So I recommended the appointment of Chancellor Schraer at Riverside, and this offended deeply many of the faculty leaders at Riverside with whom I had not consulted on this matter. I had consulted with the chair of the Academic Senate there, who was fully conversant with what I was doing but did not purport to represent that he could speak for everybody at Riverside. But he was included--and I'm not putting any burden on him, I just want you to know I did check with him--and he was supportive of this move but could not in any official way so represent.

We had an announcement of the appointment of all four chancellors the same day.

Lage: All at the same time?

Gardner: All the same day. Chancellor Stevens at Santa Cruz, Uehling at Santa Barbara, Schraer at Riverside, and Hullar at Davis.

Lage: And is this okay, to not have a search?

Gardner: No, one should have a search. But I was convinced that it--well, the chair of the senate said Rosemary Schraer was very well regarded there, and Hullar told me the same thing. And I liked her, she was a very nice and capable person, it seemed to me. She had come from Penn State, she had been around. She was provost at Penn State. I thought, Well, we ought to just appoint her and get on with the work of the campus, instead of dragging it out for a year. That was what was in the back of my mind. I thought I was doing them a favor by expediting it and proceeding with it. They didn't see it that way.

Lage: Do you think they objected to her, or to the process?

Gardner: No, they objected to the process. They were not mad at her; they were unhappy with me. The minute that I left the Regents' meeting after the appointment, I got in a helicopter and went over to the Riverside campus, where I had made arrangements to meet with the leaders of the Academic Senate, heads of the staff, the alumni group, students, it was all set up. I went over there, and it was a very difficult day. I tried to explain my reasoning, but I don't--

Lage: Had you heard rumbles? Is this why you set this up?

Gardner: No, I just knew there would be a problem.

Lage: And there was.

Gardner: And there was.

Now, the easiest thing for me to have done would have been to move Ted Hullar and appoint her acting chancellor, and then just handled it in the usual way. I could have done that. But the university was moving at a very dramatic pace at that point, we had money, decisions were being made, new programs were being started all around the university--engineering here, international relations there, something else over here--and to leave Riverside, which is always a vulnerable campus, exposed, without an advocate, I thought might do them some damage. I thought, Well, Rosemary is going to be okay, and I think we ought to get her in there. I was willing to trade off their immediate ire for a longer-term gain.

Lage: How did that work out? Was she able to handle it?

Gardner: Mixed. She came in under a cloud--of my making, not of hers--and it was just difficult to get the thing back on track. But she did, she did her job, but it was difficult. I don't know if I would do that again or not.

Lage: That's one you might have learned from.

Gardner: I think I learned. I probably shouldn't have done that. It's no reflection on her, I'm only talking about process here. I think it damaged my credibility at the Riverside campus, when in fact my intent was to try and be helpful. But I think I would not do that again. I think I would honor the process, even if there was a price to be paid in the other area.

Lage: Riverside seems to have a community that's very close to the university and supportive.

Gardner: Very, very.

Lage: Different from somewhere else.

Gardner: Yes. It's a smaller town. And it's a resident campus; students by and large live there. That makes a big difference.

Ted Hullar, Davis

Lage: How did Hullar do at Davis?

Gardner: Well, that was mixed, too. He had very strong supporters and very strong opponents. He was a vigorous force within the Davis

campus, trying new ideas, pushing for new programs, and shaking it up, as it were.

Lage: After this long term--

Gardner: Yes, kind of shaking it up. Some people don't like to be shaken up. Others were okay, so it was a mixed response. He had a tough tenure there, too. That's true.

Lage: It's not easy being a chancellor.

Gardner: It's not easy. I think he was well regarded in Sacramento, I think the students liked him. He did very well in his relations with the agricultural community up and down the state. But there were persons at Davis, and I'm not judging them, but that were not happy with Chancellor Hullar; and I'm not sure at that point they would have been happy with anybody.

Lage: Does this get back to you as president pretty vigorously?

Gardner: Oh, sure. Oh, yes, I heard about it. These are hard jobs. And Chancellor [Robert B.] Stevens had his problems at Santa Cruz. It was just difficult. And one reason they all had problems was because it was at the very time we were doing long-range enrollment and development planning for each of the campuses, anticipating our growth, and in such planning efforts some campuses lose and some win, in terms of academic programs and the effect on this on each campus' long-range plan, enrollment levels and resources. That was all churning through the system at that point, and they came in kind of in the middle of that. It's not easy.

Karl Pister, Santa Cruz

Gardner: And there was one other chancellor, and that was at Santa Cruz. Chancellor Stevens chose to leave after a fairly rocky road there.

Lage: Were his problems with faculty, or students, or--?

Gardner: He had the same problem every chancellor at Santa Cruz had since the founding chancellor resigned, Chancellor [Dean] McHenry. Everyone else down there had problems with the possible exception of Angus Taylor who served in an acting capacity for a period of time. Angus had been vice president for academic affairs under President Hitch.

Lage: All the same problem?

Gardner: Yes, in a way. It was a tough place to administer, and there are a lot of reasons for that. But nevertheless, Chancellor Stevens is now master of Pembroke College at Oxford, so he did okay.

When he left, it was fairly sudden. I was fearful that to go through another search, I would have the same problem again, because the search itself tends to be a polarizing experience at Santa Cruz. At least, it had been, and the search itself generated waves and difficulties and problems. I was anxious that Santa Cruz not be left behind, in terms of the forward momentum of the university generally. We were having a lot of problems with the city at that point, and the county, and it was a tough spot.

So, on my recommendation, the Regents appointed Karl Pister as acting chancellor, replacing Stevens. He had for many years been dean of the College of Engineering at Berkeley and a very able dean and very well-respected member of the Berkeley faculty and administration, whom I had known for twenty-five years, and liked. We knew one another well, and he was the kind of quiet, fair, judicious, loyal member of the university community that would more likely be welcomed at Santa Cruz. I asked him to serve as an acting chancellor.

Lage: You had learned.

Gardner: Yes, right. Acting chancellor. I had to talk him into it, but he, as a good university citizen, agreed to go. He and Rita went down. And he's just been terrific. Then after a year or eighteen months, I had everyone from Santa Cruz coming to see me --I didn't have to have a search--faculty came up, the staff, everybody came up and said, "You ought to appoint him chancellor," so we did. Never had a search. I learned my lesson from the other one.

Lage: He's been a strong chancellor.

Gardner: Very strong, capable chancellor, well liked there, and he's done a fine job at Santa Cruz.

Chang-Lin Tien, Berkeley

Lage: And then maybe we should talk about Chancellor Tien.

Gardner: Yes. Well, you know, the search for a Berkeley chancellor is never easy.

Lage: What does it involve that's different?

Gardner: Everyone is aware of Berkeley's position in the university, the Regents are, and so is the press. So the appointment of a chancellor at Berkeley takes on an added significance, and therefore, the press is more insistently interested, the stakes are higher, and the decision is, in some respects, more consequential.

I had a good committee, with some way to the left ideologically and others way to the right ideologically--

Lage: Is this more important on the Berkeley campus, the ideology?

Gardner: Some people think so. I had a well-balanced committee. Chancellor Tien had been a vice chancellor for research at Berkeley, he had been a distinguished teacher at Berkeley, his research was internationally renowned, he had been a committed member of the Berkeley faculty and administration for many, many years but was not promoted at Berkeley when an opportunity came in the late 1980s. He was passed over.

Lage: Promoted to what?

Gardner: To a different position within the Berkeley campus administration. There was an opportunity to move up; he was not afforded it. At that time, Chancellor Peltason at Irvine was looking for an executive vice chancellor and invited Chancellor Tien down, and he took it, because he had been closed off at Berkeley. He was down there for two years as executive vice chancellor and did a fine job. Peltason said, "He's really good," and so forth. He was well liked, did an excellent job at Irvine.

So here's a person who knew Berkeley, whose scholarly credentials were unimpeachable, who was a respected teacher, who as far as I knew had done a very respectable job in the administration, and he had done an excellent job, but under the tutelage of an old pro, at Irvine, under Peltason. You never quite know, when you move someone up from that level to chancellor, what they're going to be like. I guess just like when they invited me to serve as president. There's always a risk.

I looked at all the other candidates, and there were some strong candidates, but it was also true that a number of the

strongest candidates were not willing to be considered for Berkeley, for a lot of reasons. Chancellor Tien, in my view, was as strong as any candidate that we were looking at, all things considered. And it took a little doing with the search committee.

Lage: To make that the choice?

Gardner: Well, some wanted him appointed because he was Asian American--all the wrong reasons. Others were reluctant to appoint him for that reason. That's the truth of it. And I had to forge a coalition, which I managed to do, and put his name forward, and he was appointed. He's the one I wanted.

Lage: So you yourself, it sounds like--I don't want to put words in your mouth--try not to consider race--

Gardner: I try not to consider it as a stand-alone factor.

Lage: And how about gender?

Gardner: Well, I do consider gender and race in the sense that I went to considerable lengths to make sure that the list of possible candidates included women and included minorities, so that they would be there for consideration. But I don't feel any sense of obligation to appoint anybody merely because of their gender or their race. I wouldn't do that.

Now, for Tien, he and Chancellor Heyman were very different people, and Chancellor Heyman strengthened certain parts of the Berkeley campus--the life sciences and a lot of other areas he was working on--but his relations with a lot of other constituents weren't as good as they might have been. This is not atypical of people; they just do the best they can with what time and resources they have available.

Tien had a personality that would click, in my view, with alumni, with donors, with legislators. Berkeley had to raise more private money. Chancellor Heyman got them off to a very good start, had been very successful. I thought Tien could take it to another level. The alumni were not uniformly happy with the way the Berkeley campus had been handled in some--

Lage: They wanted more athletics. Let's just say that.

Gardner: They wanted that. Well, it wasn't just that, but they did want that. And I thought Tien could develop those constituent interests, while also handling the central purposes of the institution, because he had come out of that area and was greatly

respected there. I thought he just had a very nice balance, and it was going to be good for Berkeley if we could get him in, so we did, got him appointed, and that's proven out.

Lage: Yes, he did seem to follow along the lines--

Gardner: Yes, he did, proven out. That's one of the best things I did.

Lage: And he's so widely liked, I think.

Gardner: I know. Well, he's a widely liked person. I remember one of the committee members said to me very privately one day, "But you know, his accent is pretty heavy." I said, "Yes, but his enthusiasm more than compensates for it." His enthusiasm subordinates any of these other considerations.

Lage: Makes you listen carefully, too.

Gardner: Yes. Exactly.

Lage: Were you thinking in terms of Pacific Rim fundraising?

Gardner: No. But I knew that he could--I mean, we wouldn't choose him for that reason, but I thought that was an extra dividend, I'll put it that way. Which it has proven to be.

Lage: Because that was one of your goals as well.

Gardner: Oh, yes, sure. I thought it was important for Berkeley in some respects to have that link. I mean, it was a factor. It didn't subordinate everything else, but it was a factor in the equation.

Lage: Well, that was quite an interesting little roundup on how we've selected new chancellors.

Gardner: Yes. I hadn't thought about sharing all that with you, that's right.

Lage: That's really the behind-the-scenes view.

Gardner: I might also say, in terms of my vice presidents, I had a very stable administration.

Lage: I think we went over that.

Gardner: Yes. Only Jim Kendrick who passed away. Otherwise, there weren't any changes.

Lage: That's unusual.

Gardner: Oh, very unusual. Usually, it's a two- to three-year stint for vice presidents, but this was a very stable administration, and that helped a lot.

Dan Aldrich, UC's Utility Chancellor

Gardner: Before moving on, I wish to mention the special role played by Chancellor Dan Aldrich and his wife Jean. Libby and I had known them when we all lived in Berkeley in the late 1950s and very early 1960s. Dan was vice president for agriculture under Kerr and I had come to know him first in that capacity, both when I was at the Farm Bureau Federation and later with the Alumni Association.

He and Jean had been especially nice to Libby and to me, and we felt very friendly toward the Aldriches when he was asked to be UC Irvine's first and founding chancellor in the early 1960s. I recall when on a visit to Berkeley alumni in about 1962 or 1963, I visited Dan on the new site of UCI. There were no permanent structures at that time, just some trailers and temporary facilities. This is when I first met Jack Peltason as well, he serving as Dan's vice chancellor for academic affairs before his appointment as chancellor of the University of Illinois at Urbana.

There were no trees or buildings at the site, as I recall, just shrubs and grass and I believe a bean field or two. I had frequent occasion to visit the Aldriches after that as, both with the California Alumni Association and later as an assistant to Chancellor Cheadle at UCSB, I'd be traveling through southern California. Dan and Jean had Libby and me in their Chancellors House quite often. He was a good and wise advisor to me and a friend throughout the years, and, I believe, helped secure my appointment at UCSB in 1964.

Dan retired as UCI's chancellor in 1984 or '85, and I recruited Jack Peltason to take his place. The chancellor at UC Riverside when I was appointed was Tomas Rivera, a wonderful, fine human being who suffered an untimely death in 1985, I think it was. He was a poet of very great distinction and I had very much enjoyed working with him. Rather than draw someone from inside at UCR to replace Tomas temporarily, I asked Dan Aldrich if he would handle the chancellorship at UCR until we could conduct a search. He and Jean agreed to do so and were a wonderful and welcomed addition to the UCR and Riverside communities. Later on, in 1986 or '87, when Chancellor

Huttenback resigned, I once again prevailed upon Dan Aldrich, and Jean, to cover as acting chancellor at Santa Barbara until I could find a replacement to Huttenback. Once again, they were a welcomed and constructive presence on campus for the year or two it took.

I called Dan UC's utility chancellor. I know of no one who served UC in so many positions of responsibility and with such genuine commitment and loyalty as did Dan Aldrich. He and Jean must surely be the most unique couple in terms of service to the university as any in its history, and they deserve to be remembered as such. Dan died shortly after serving at UCSB and I have often felt some guilt in prevailing on him to serve at UCR and then UCSB after his formal retirement; but I like to believe that those were also treasured years for both of them.

[The above section on Dan and Jean Aldrich was added during the editing process.]

Academic Programs

Gardner: Let's go to academic programs, not just the administration but the academic programs.

UC San Diego School of International Relations

Gardner: Chancellor Atkinson came to see me early in my administration. We had lunch at Blake House, and he said, "As you know, the San Diego campus has an international reputation for its physical and life sciences, its chemistry and so forth. Scripps Institution of Oceanography is at UCSD also. We've been building strengths in these areas, but there's one area that we feel we need to move forward on." This was after our '84-'85 budget, so things were beginning to look better. There had not been a new professional school in twenty years in the University of California, and some of the chancellors were beginning to think this was now possible. Dick was there early on and said, "We would like very much to submit a proposal for an MBA, a master of business administration, at UC San Diego. What do you think?"

I said something to the effect that, "You know, we need a new MBA program in the University of California like we need a hole in the head. Why don't we do something different? Now here's San Diego, a few short miles from the Mexican border to the south. You're looking out of your office onto the Pacific,

and the next landfall is Japan. It's not our Far East; it's our Near West. You're beautifully situated at UCSD. There's no school of international relations in the University of California, none. All the schools of international relations around the United States all look across the Atlantic. None looks across the Pacific. You're going to grow, so the resources are going to come. You don't have to take away from anyone in order to create it. Why don't you see if that is an idea that might be appealing?"

Dick said, in effect, "That's a very appealing idea," and he went back and did a superb job of undertaking the review of that idea by the faculty, who fleshed it out and refined it, particularized it. A proposal then came forward to me. I was happy to take it to the Academic Senate and later to the board. It was approved as the Graduate School of International Relations and Pacific Studies. It went to the legislature for funding, and it was funded. We had the building up, the library purchased, the faculty recruited, and the program running in nearly record time. It was the first new professional school at UC in nearly twenty years.

Lage: In a short period?

Gardner: Very short period of time. And I got a lot of flak from Berkeley faculty who asked: "What are you doing, giving this to San Diego?" I said, "Where have you been? It's San Diego's proposal. Moreover--"

Lage: It wasn't their idea.

Gardner: No, it wasn't. However, the faculty at UCSD were the ones who thought it through carefully and put the proposal together, and improved on it and everything else. Mine was just an early and encouraging thought. Berkeley said, "Yes, but..." I then said, "If I had suggested this to the Berkeley campus, you'd still be debating its merits well after UC San Diego had the building up and was graduating the first students."

Lage: [laughs] How did that go over?

Gardner: Not overly well, although they knew it was true.

Lage: So that's a quality you see of the Berkeley campus, more dissension? Is that the correct summary there?

Gardner: Well, it's not so much dissension, as such. Berkeley is a mature campus that is topped out, and therefore, anything new, if you

don't get fresh money, you take it from somebody else, and it's harder to do that.

Lage: When you say topped out, you mean in size of student body?

Gardner: Yes.

The international program at Berkeley was very strong, superb people in Asian Studies, Korean Studies, Japanese Studies, European Studies, Soviet Studies, and they had an excellent faculty. The UCSD matter resulted in some reconfiguration of Berkeley's program in international relations. It strengthened that program as they considered the implications of the new program at UCSD. The same occurred at UCLA. So there was some beneficial effect at Berkeley as well as at UCSD. I used the element of intercampus competition and rivalry to good advantage anytime I could.

UC Irvine Universitywide Institute for Humanities

Gardner: I was in my office one day approving a series of appropriations, grants from our overhead fund, for the purchase of scientific equipment, much of it at the medical schools, some in physics, chemistry, and so forth: \$1.5 million here, \$2 million there, \$3 million there, \$500,000 there, and I thought, Well, I do know it costs this much, and I do know we need to do this. But why can't we just take \$3 million from this large pool of funds, for example, and use it to strengthen the humanities in the university? Equal to one or two pieces of equipment annually.

So I asked Bill Frazer to consider this, and he formed a faculty committee, and the committee said we ought to found a universitywide institute for the humanities.

Lage: Were these a committee of faculty?

Gardner: Yes, all faculty. Professor Stan Chodrow at San Diego chaired it. And they recommended it go to Irvine.

Lage: Why was that?

Gardner: They thought that's where it would be best housed and that's where there was the most enthusiasm. I can't remember all the reasons, but they were well considered, and this was a universitywide committee. So we put it at Irvine.

Lage: And was that controversial?

Gardner: Putting it at Irvine was. Oh, sure, I heard about it. But I said, "I have relied upon an all-university faculty committee," which I did. And they had reasons that seemed to me to be sufficient, so that's why the decision was made to house it at Irvine. There was no prior decision to put it at UCI, but a decision based upon the results of a very careful and thorough study by a faculty committee with representation from all the campuses.

Lage: Does that institute feed into any of the other campuses?

Gardner: Oh, yes, it's a universitywide institute. It's a universitywide organized research unit, and it involves faculty members from all the campuses.

Lage: Is it related to things like the Townsend Center for the Humanities at Berkeley, or is it independent?

Gardner: It's in that vein, but the Townsend Center is a Berkeley institute. This is for the university as a whole. I provided money not only for the administration of this UCI-based institute, but also for study grants for faculty, not just at Irvine but at all of the campuses. I added a substantial amount of money for graduate fellowships so we could be more competitive all across the university, not just at Irvine. And we really moved forward at a time when the humanities were being severely neglected across the country. So I was proud of that.

Lage: This is discretionary presidential money?

Gardner: Yes, that's correct. It was all reported to the Regents, of course, and publicly noticed as well.

President's Fellowship Program

Gardner: Then, of course, we were trying to increase the number of minorities and women in fields at the graduate level where they were poorly represented, in pursuit of which we initiated the President's Fellowship program. We got that started and funded it. I guess that's going to be knocked out now with the Regents' decision earlier this year on affirmative action. I can't believe it. Sad. Anyway, it did a lot of good.

Within a year or two of having created this program, I discovered that out of the first fifty or seventy-five fellows who had completed their postdoctoral works or their Ph.D.s in that program, most were being hired by Princeton, Harvard, Stanford, and comparable universities. UC wasn't hiring any of them to speak of. I got together with the chancellors and made it clear that we should look to these students as a ready opportunity in our own recruiting--not so much by the campus where their work was being pursued, but by other UC campuses. After all, they had been recruited from all over the U.S. and were eagerly sought after by the leading institutions. So we were able to draw from that pool to strengthen our representation of women in mathematics and engineering and so forth, and minorities in the hard sciences.

Lage: Did you turn that around so that more were hired on that basis?

Gardner: Oh, yes.

Lage: Just by suggesting it to the chancellors?

Gardner: Yes, that's all it took.

Lage: Sounds like a good pool.

Gardner: I didn't have to belabor the issue. They all understood it. I just said, "It would be helpful to the program if there was a more determined effort on your part to consider those who are completing their fellowships and post-docs than has heretofore been the case." That's all I said. And it about doubled the appointment rate at UC from this pool of talented and able young people.

Lage: You didn't really say what the President's Fellowship program was in great detail.

Gardner: Oh, it provided a very generous fellowship for minorities and for women in those fields where they were poorly represented in universities nationally. We would not give a fellowship to a woman coming into a school of education because they were already well represented there. But we would into engineering and chemistry and biology and so forth, the life sciences, and in other areas where they were poorly represented. We would recruit from all over the United States with a very generous, very competitive fellowship, and bring them to Berkeley or UCLA or San Diego or any of the campuses, San Francisco. And I was real happy with that.

These are just examples, and I think you'll find a more complete reference of this program in my statement when I left the university. [see appendix]

These are just examples of how some new academic institutions came about, which I think for historical reasons it's useful to know.

Lage: Now, as you describe them, they seem to just occur to you.
[laughter]

Gardner: Yes, they would occur to me within the context of the conversation I was having. But it was not the first time I had considered these ideas.

Lage: That's what I was wondering.

Gardner: I always think about things.

Lage: The School of International Relations, for instance.

Gardner: I had thought about that. I had thought there's no school of international relations, and there should be. I hadn't quite gotten to it, but it was on my agenda when Dick Atkinson raised this question about an MBA program at San Diego. So when he did, I thought, No, I don't want to do that, but UCSD's beautifully situated to mount a graduate school in international relations, and [snaps fingers] out it came.

Lage: And the same with the humanities?

Gardner: Yes. I was just sitting there, approving all these appropriations, and I said to Bill Frazer, "You know, something's wrong here. We're not taking sufficient account of the need to strengthen the humanities in the University of California. We're in a position to do it, so we're going to do it."

Education Abroad Program

Gardner: And then the Education Abroad Program, it was almost all in Europe, and I thought, here we are on the West Coast, and most of our students studying abroad are in Europe. That came to me when I was talking with the director, who was a friend of mine from Santa Barbara days. He was describing the program at some length, and it was a superb program. It was a wonderful program. It was all in Europe, the Middle East, Africa, or wherever. Very

few programs, very few students in Asia. I said, "We need to develop our contacts in Asia and opportunities for our students to study there. After all, their students are studying at UC in the droves. This is a real imbalance in trade." He then said, "You give me a budget, and I'll do it." So we did.

I also took a look at the students who were enrolling, and they were all mostly white students, and middle-, upper-middle-class students. I said, "There are a lot of able people here who are not getting into the program because of the cost." So I added a substantial amount of money for scholarship support as well, especially for needy minority students and other students who were financially unable even to consider this program.

Lage: And did that change the look of the program?

Gardner: Yes, dramatic. Oh, the whole program changed.

Lage: Because you have the language problem when you get out of Europe.

Gardner: Well, you have a language problem in Europe.

Lage: That's true, but more so in Asia.

Gardner: Yes, I understand.

Lage: Although we have so many Asian students that we do have an advantage there, it would seem.

Gardner: Yes, we do.

These are just examples of how some of these things came about. I can't just wish them; I have to work through other people to get them, and I did.

Lage: And often it seems like the idea was enough. And the money.

Gardner: It was enough.

Funds for Asian Research and Contributions to Universities in Armenia and Hong Kong

Gardner: Once, Bill Frazer and I were talking about the use of overhead funds, and I said, "You know, here we're located on the eastern side of the Pacific Ocean, and the trade between Asia and the North American continent is greater than the trade across the

Atlantic to Europe. (Indeed, that's been true for some time.) I look at the organized research units in the University of California, and they tend to be predominantly European-oriented in this respect. I would like to put in some money to increase the research opportunities for faculty members interested in Asia." So we did.

We also partnered with a new university in Armenia, one they desperately needed, and helped them plan for this new institution and loaned them some of our faculty members and managers to help them get started. And then I was personally involved as a member of the planning committee and later as a member of the University Council in planning for and constructing the Hong Kong University of Science and Technology, Hong Kong's third university. I served in those capacities for eight years. All pro bono work, but most interesting. I was also the Fulbright Lecturer for Japan in the mid-1980s in celebration of the Fulbright program's fortieth anniversary. These international contacts are merely illustrative and are recalled for the purpose of sharing my interest in matters international. Libby and I traveled most of the world during our time at Utah and UC and counted it as one of our most important experiences. We learned a great deal and believed we also helped some as well.

K-12 Education

Gardner: Then I was concerned that we were not evidencing, I thought, sufficient care and interest in the condition and quality of K-12 education in the state. So I put money into faculty research on issues of interest to California's public schools. There were a lot of things I did like that.

Lage: Where would that money go?

Gardner: It went to the campuses for research support for faculty members.

Lage: I see.

Gardner: It just came along. These were not suggestions that were made to me. There were a lot of suggestions that were offered to me, but these were some ideas that I had, by way of example. And I didn't come into the position with those on the agenda at all.

Lage: It just--

Gardner: It just evolved.

- Lage: Well, you were in higher education.
- Gardner: That's right, and I had a sense of what was going on in universities worldwide.
- Lage: Did that make a difference in your presidency, do you think, that your background was higher education?
- Gardner: Oh, a tremendous difference. Tremendous difference.
- Lage: Do you think you approached the job differently from that vantage point?
- Gardner: Yes, without any doubt. I also believe that I approached the job much differently than if I had taken it in '75, because I had had eight more years of experience under my belt in '83. It would have been tough in '75. I never felt apprehensive about coming in '83. I mean, I was respectful of the job, and I knew what had to be done, and the difficulty of doing it, but I was not apprehensive about my ability to do it.

Officers of the Regents

- Gardner: Principal officers, you were going to ask me about. The principal officers of the Regents? [refers to interview outline]
- Lage: Yes, officers of the Regents, how that relationship worked.
- Gardner: There are three principal officers of the Regents, that's their title. There's the general counsel, there is the treasurer, and there is the secretary. They do not report to the president--I mean, they did not report to the president while I was there. They never had reported to the president, although under President Kerr, Judge [Thomas J.] Cunningham was a vice president as well as general counsel, I believe.

The General Counsel

- Gardner: I had followed the difficulties between Judge Cunningham, who was the general counsel in the sixties, and President Kerr. This was an unhappy relationship, and it was a problem.
- Lage: How did you follow it?

Gardner: I attended Regents' meetings. I saw it firsthand.

Lage: So it came to your attention.

Gardner: Oh, yes. It didn't take a genius to figure out there was a problem.

So you have the general counsel, who was not appointed by the president. The general counsel is appointed by the Regents. The general counsel is accountable to the Regents. The general counsel reports to the Regents.

Lage: Does he also advise the president?

Gardner: Yes. And my experience had been that, more often than not, the general counsel regarded the Regents as their primary client, not the administration.

Lage: Well, that would be understandable, given what you describe.

Gardner: Yes. But if the administration is not also the client, then the administration has no legal advisor as no one else is authorized to fill that role other than the general counsel. We were doing the work of the institution. I had known General Counsel Don [Donald L.] Reidhaar for many years. We were friends. This was not a personal problem with us, but it became from time to time a structural problem. His successor, Jim [James E.] Holst, I had also known for many years as well, and there were times when we had difficulties. But they both went out of their way to mitigate them as best they could. So did I.

Nevertheless, there was a problem, and I undertook in the latter stages of my administration to see if the general counsel could not report to the Regents for purposes of the corporate duties of the board, but report to the president for purposes of meeting our administrative requirements for legal services. I was not successful, but Jack Peltason was; and I think that's a real improvement. And again, it was not personal; it was a structural problem in how other people perceived the office and so forth. So I had to live with that. A lot of chancellors were unhappy with the way legal services were being provided. Some of the criticism was fair; some of it I thought was demonstrably unfair. So it wasn't all on one side.

Lage: But you couldn't do a lot about it?

Gardner: I couldn't do a lot about it. I couldn't do anything about it, other than talk to Jim, who generally tried to respond or explain to me that the chancellors were wrong. They sometimes were.

They weren't always. So we had a few problems. It was not personal at all. It was a point of irritation within the system and the scheme of things.

Lage: Did the counsel give you good advice? Did you turn to them for advice?

Gardner: Yes. I found their advice to be quite good generally. There were a few times when I took issue with them. I recall one when we were being asked to issue a speech code.

Lage: Oh, yes.

Gardner: Remember that? I'll get to the particulars on that when we talk about amending the student code of conduct to prohibit fighting words. [See Chapter XI.]

That was one instance where general counsel's advice was wrong, but generally speaking, their advice was very thorough, very considered, and I think right on target. Not always, but usually right on target, at least in my view.

Lage: But the structural difficulties remained.

Gardner: It was a structural problem, and I'm pleased to note that some headway has been made there.

The Treasurer

Gardner: The treasurer, of course, invests all the money, and that's okay, except there were problems during the divestment fight, which was over whether or not the university should invest in companies doing business in South Africa. We had a Regents' meeting scheduled for May, 1985, I believe, on the Berkeley campus, at the Lawrence Hall of Science. I'll get to the particulars of that later, but with respect to the treasurer, the investment committee of the board met every time the Regents met. The investment committee, which is staffed by the treasurer, met the Friday morning of our Regents meetings. It did not meet Thursday with all the other committees; it met Friday morning. Later on in my administration we moved it to Thursday afternoon.

Lage: This was routine?

Gardner: Routine. At the close of the Thursday committee meetings on this particular occasion, it was a nightmare because we had roughly

3,500 very upset demonstrators outside--I mean, it was not easy. So we had been stressed all day, with the board fighting on the divestment issue and one thing after another. After the Thursday meeting, the treasurer, Herb [Herbert M.] Gordon, came out and said, "Oh, by the way, so you won't be surprised, I want you to know I'm recommending the purchase of Company X," I forget what it was, "tomorrow morning, and they do business in South Africa."

I said, "What did you say?" "But it's a good investment," he said. I said, "What does that have to do with it? You can't go forward with that recommendation in the middle of this issue, with a divided board trying to make up its mind and half of the world's press covering every nuance of what we're doing. That's like throwing a match in the middle of a gasoline station."

He said, "No, that's my recommendation, and that's my job, and so forth." It took two or three hours of conversation and a call that night to the chairman of the committee, Ed Carter, to get it off the investment committee agenda the next morning.

Lage: Oh, my goodness.

Gardner: Yes. That was atypical, but it's an example of how things can go awry when part of what the university does is not connected to what the president is having to deal with.

The Secretary of the Regents

Gardner: The secretary of the Regents is a corporate secretary position. They have been blessed with really quite wonderful secretaries over the years, and they do a superb job. They are really very good. They're accurate and they're complete, they're ready to do the job, they know what's going on, and I've never had any complaint about them except once. It's again another example, atypical though it is.

At the time I was leaving the university, there was a good deal of controversy about my retirement plan and my deferred compensation. I remember Secretary Bonnie Smotony, who's a sweet, wonderful person, popped in one day right in the middle of this. I was in the newspapers, on the front pages, nearly every day. She said, "Oh, by the way, Regent Campbell last week requested a verbatim transcript of the meeting of the Regents where your compensation and retirement were discussed."

Lage: Way back when you were hired?

Gardner: No, at the Regents' meeting in March of 1992--this was now maybe May or June. I said, "How did you handle it?" "Well, I gave it to him." I said, "What?" Of course, it was leaked to the press within a day or two, and it was all over the newspapers. No one had bothered to tell me about this matter until it was too late to do anything about it. So there were those kinds of problems, if I may say so.

But generally speaking, it worked. It's worked for a long time.

Lage: Is it an unusual setup?

Gardner: Yes, very unusual.

Lage: Ordinarily, the general counsel and the treasurer would be under the president?

Gardner: Yes, generally speaking. It's a mix; that isn't always the case, but generally, they would be, yes.

Lage: You seem to have lived with it, with those few issues.

Gardner: I lived with it, with those two or three problems. It was okay. I didn't spend any sleepless nights over it.

The Faculty and its Academic Senate

Lage: In talking about the different constituencies, we have left alumni, students, and faculty. That's three big ones.

Gardner: Let me take the faculty.

The Academic Senate of the University of California receives its authority, not through the president, but directly from the Regents. Most people don't know that. So the authority of the senate to act in matters within its purview is not authority delegated by the president, it's given directly by the Regents. And in that sense, it bypasses the president. The senate enjoys authority that's spelled out in the university's standing orders. That's what we mean by shared governance in the University of California.

I was always comfortable with that because I grew up in it, in that sense.

Lage: Authority over what?

Gardner: Oh, over courses, curricular matters, degrees, and so forth. It's their job. The educational policy issues really are their purview. So I respected that, and indeed, I thought that's the way it should work. I never had a structural or principled problem with that.

The Academic Senate has nine component parts, one for each campus. There's a senate on each campus.

Lage: And even that was worked out over time as the senate decentralized.

Gardner: That was not easy either. It was worked out under Kerr, and refined later on under Hitch and Saxon. I didn't have to do much there; they had it in place. I didn't have to really touch it, and I thought it worked fine. So there's an Academic Senate on each campus which works with the respective chancellors.

The Academic Council

Gardner: But the senate also has a universitywide component called the Academic Council. The council is composed of the chairs of each of the nine senates, and the chairs of the standing committees of the council--educational policy, budget, and whatever, certain standing committees. They met monthly, I think nine or ten times a year. Staffing was provided by the senate itself. It had its own secretary and its own office and its own chairperson. The senior academic vice president would work with them on my behalf.

Lage: They were advisory to the president? Was that their main function?

Gardner: They were advisory to the president, just as the senates on each campus were advisory to their respective chancellors, in addition to acting on matters within the purview of their delegated authority. The council was advisory to the president. The senior vice president for academic affairs was my contact with them. In terms of ongoing, routine, daily issues, Bill Frazer would work with them.

I would meet with them monthly. The day before Regents' meetings, I would meet with them in the morning or the afternoon. It was not so much my agenda as it was theirs. I was a guest, as it were.

Lage: Ah, this was a very different thing.

Gardner: Yes.

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Lage: This is the first group that's setting its own agenda.

Gardner: Yes, this was their show. But they always had on their agenda a report from the president, and I was free within that to share with them anything I wanted. I was also free to comment on any of the agenda items they had scheduled for the day. I was always first on the agenda. I would indicate, "Well, this is what's happening in Sacramento," or "this is what's going on the Regents' agenda that will be of interest to you," or "there's this controversy brewing over here," or "we've had these problems over there." I would get their advice, and I would tell them what I thought. Then if they had something on the agenda that I really wanted to comment on, I would comment on it then at that time, or when it came up in the agenda, depending on the issue, the timing of the meeting, and my own schedule. Then after I finished, I would leave, so they wouldn't feel any sense of concern about my being there, so they were perfectly free to discuss matters as they wished. That's how that worked.

Lage: And your vice president would stay?

Gardner: Yes, Frazer would stay, but I would leave. I did that on a regular basis. I would also meet monthly and separately with the chair and vice chair of the Academic Council, in my office.

Lage: Were both of them members of the Regents?

Gardner: No, neither one is a member of the Regents. They are representatives of the faculty to the Board of Regents; they have no vote on the board.

Lage: But they attend meetings?

Gardner: Yes. They sit at the table but do not vote. By "they" I mean the chair and vice-chair of the Academic Council.

Lage: And they don't want to vote?

Gardner: They don't want a vote. They do not wish to be regents. I think they're absolutely right, not wanting to vote or to serve on the board but preferring to be at the Regents' table and able to speak on any issue.

Lage: What's the thinking there?

Gardner: Well, they wish to feel free to advocate the interests of the faculty, rather than being burdened with having to take account of the institution in its totality, which they would be obliged to do if they were voting regents. They're freer to express themselves as responsible parties, and I think it works fine.

Lage: What would be your goals in speaking to the faculty? Did you have particular goals?

Gardner: Yes. I wanted to make sure they knew what was going on. I wanted them to know what I had in mind, and if they didn't like it or had some suggestions for improvement, then I would benefit from their opinions. I wanted to get a sense of how they viewed the institution, what morale was, what issues were of concern to the faculty, how my administration was doing, and so forth. They were my eyes and ears in that sense, just as they were the eyes and ears of the faculty for what the administration was doing.

Lage: Were they forthright?

Gardner: Yes. They've never been overly hesitant either. Those were good meetings.

Lage: Were there hot issues that came up?

Gardner: Oh, yes, there were hot issues.

Lage: The same hot issues as all the hot issues, like divestment?

Gardner: Well, faculty personnel issues generally didn't rise to the level of public interest or concern, but they were often debated loud and hard there. Salary adjustments for faculty, retirement issues for faculty, UCRS--University of California Retirement System--those issues. Benefits.

Lage: VERIP must have been a hot issue.

Gardner: Yes, VERIP was a hot issue. When we made a decision not to give merit increases one year, that was a hot issue. I'll get to all that later, but I worked with them on a regular basis. I met with them once a month.

Lage: We all know what Clark Kerr said about the main problems of the university: the faculty's was parking.

Gardner: I know. I'm well aware of it.

Lage: What would you describe as their main concern, or did it change over the time?

Gardner: It would change. I thought that they would periodically be disproportionately interested in retirement, compensation issues, benefits for the faculty. But generally, I don't think they ever consciously thought they were dwelling on those matters. They would try and deal with the issues of fees for students, space on the campuses, academic programs, how to develop an engineering school at Campus X when you already have six of them in the university--those kinds of issues. I found them to be very responsible. I really didn't have many problems working with the faculty.

Emphasis on Teaching

Lage: Would trying to get more interest in undergraduate education by readjusting the reward system be an issue?

Gardner: Yes. For example, the professor step VI issue. Under the former policy, faculty members seeking to advance beyond professor step VI were obliged to demonstrate research and scholarly capabilities that were internationally acknowledged. Nothing was said about teaching in the policy. This issue had been discussed within the university for some time but had never been fully resolved to the satisfaction of either the faculty or the administration. I had not raised it initially, but I was happy to be in the discussion once it was started. I asked Bill Frazer, working with the senate, to see if he could not find a way of acknowledging superior teaching in our policy but without diminishing the significance of the barrier to advancement beyond step VI, so such persons who also had excellent but perhaps not world-class research capability but were acknowledged to be superior teachers could also be considered for promotion beyond step VI.

It took us two years. I never pushed it beyond what seemed to be reasonable. I told Bill Frazer, "This is not a matter the administration is going to press on the faculty in terms of any outcome, but we do want to encourage them to think it through." And they did. They took two years, and it came out pretty well.

Lage: So was that added as a criteria?

Gardner: Yes, it was.

Lage: We'll see if it makes a difference.

Gardner: We'll see. It was a very quiet move, but a not unimportant one. It came about in ways that I thought were characteristic of how the University of California works best. I was under unbelievable pressure in Sacramento on this issue. I don't mean step VI specifically, but I mean the issue of teaching and research. I was trying to deal with it in Sacramento, but not unduly pressure the faculty, either to deal with it or to deal with it in an excessively expeditious way. So I bought the time for them, and then they responded, I thought, in a very responsible way. That's how we worked together.

Lage: The shared governance--it seems like it worked.

Gardner: Yes, I found it worked.

Lage: This must have been a hotter issue when it came down to questions of faculty workload.

Gardner: The senate didn't really get involved in that. That's a matter of how budgets are allocated.

Lage: Did that get changed? Well, they must get involved, if it's being considered, they must have an opinion.

Gardner: No, the academic departments get involved, not the senate, because the teaching load is a function of who teaches what courses, not of what is taught in those courses. The senate doesn't make those decisions, the academic departments make those decisions. Now, it may be the same people, but the mechanism for dealing with it is the department, not the senate. The faculty members wear different hats here.

Lage: The department, the school, the chancellor--

Gardner: Yes, whatever. It's interesting, isn't it?

Lage: It really is a complicated system.

Gardner: Yes. I also had the good fortune of having persons chairing the Academic Council with whom I worked well and easily. Indeed, several of them had been friends for many, many years, and that helped a lot.

Lage: Like who?

Gardner: Well, Marty [Martin] Trow, and Neil Smelser from Berkeley, and others.

Lage: Some were more helpful than others?

Gardner: I thought they were all helpful.

Lage: It was a good relationship, it sounds like.

Gardner: I felt I had a very good relation with the senate. I don't know what they thought, but I think I did; I thought it was a good relationship, anyway.

The Students

Council of Presidents

Gardner: Now with the students. With the students, of course, there are student body presidents on each campus. They formed a parallel organization to the Academic Senate, forming a Council of Student Body Presidents.

Lage: Was that something new?

Gardner: It was in place when I came. I think it's fair to say that Dave Saxon and the student body presidents' council tended not to warm to one another.

Lage: [laughs] Why was that?

Gardner: I don't know. In any event--

Lage: They didn't get along.

Gardner: They didn't get along, I was told, and the relations were not too good when I came in. I don't know who was responsible for that, if anybody was; but anyway, that was the reality of it. So I was determined to try and improve it. While at Utah, I really did enjoy working with the students, and one of the things I'm proudest of is when I left, all ten student body presidents with whom I had worked all chipped in and made a beautiful plaque with their signatures on it and a very nice statement about working with me, and how much they respected me. It was really nice. They just did that on their own. And I might add, when I left the University of California, the students here did much the same thing, even in the middle of all the problems I was having. That was very nice and was offered in the middle of retirement

problems and in spite of fee increases, divestment, and many other issues.

Lage: What did you do to turn the relationship around?

Gardner: I met with them on a regular and respectful basis. Now, some of the chancellors did not welcome this. Chancellor Young thought the president's office ought not to be meeting with these people. After all, they're our student body presidents, he thought. And I can see that point, but I can't be just cut off from students. So he and I respectfully disagreed on that, and he was not alone; some others, I think, felt the same way, but I thought it was necessary.

I would meet sometimes once a quarter and sometimes twice a year, recognizing that Berkeley was on a semester system and the others were on a quarter system. San Francisco is also on a semester system. I met with them usually at Blake House. I invited them to dinner. We had a buffet, so we didn't spend a lot of time eating. We would then go in the living room and start our discussion around seven o'clock. I would take about a half hour and tell them what was going on. Then we just had a conversation, usually for three hours. It never ended until eleven, eleven-thirty.

Lage: What kinds of things would they bring up?

Gardner: You name it, they brought it up.

Lage: Was the agenda set in advance?

Gardner: No, there was no agenda. They were welcome to raise any issue they wished. There were no written documents.

Lage: Did anybody else come along on your side?

Gardner: I had Frazer, who was there; Cal Moore, who was his chief deputy, associate vice president for academic affairs; Dennis Galligani, who headed all our student financial aid and those kinds of things; and one or two others. Libby also joined us as she enjoyed meeting the students. The other administrators present didn't say anything unless I couldn't answer a question, or unless they could answer it better than I, which was quite often, in which case I would call on them to respond--on housing, fees, financial aid, and so forth.

Almost every issue of interest to the university came up, from admission standards, affirmative action, divestment, student

fees, tuitions, enrollment growth, teaching loads. It all came up. And I enjoyed it until about ten o'clock. [laughter]

Lage: From ten to eleven was a little hard?

Gardner: I got a little tired at the end of a hard day. They, of course, could have gone all night. But I really enjoyed meeting with the students, because they're kind of fresh. So were their views. What it did was enable me to straighten them out on a number of issues about which they were poorly informed. They would also, occasionally, straighten me out on some issues.

Lage: Were they open to this new approach?

Gardner: Yes. I said, "Look, this is how it is. Now, if you want confirmation of this, check with so-and-so. Here are the documents, you can get the documents. That's what it is." Over time, they came to say, "Okay," and just accepted it. I thought those were very good meetings. They helped a lot.

And I remember during the divestment fight, it could have been a lot worse than it was, but they at least understood where I was coming from. They didn't agree with it, but they respected it.

Lage: That helps.

Gardner: That helps a lot. So I enjoyed that.

Visiting the Campuses

Gardner: Then when I would visit the campuses, not just the first year but about every other year after that, I would meet with the students on campus, not just the student body president, but representatives from the various organizations. I did what I could to keep the lines open.

Lage: Did it affect your policy at all? Did you see it as getting input, or helping them understand your point of view?

Gardner: Both. Especially on fees. I would explain that we had to move fees up, and there would be all this complaining going on. Then I would say, "Yes, but we're setting aside so much money to take care of every student who's eligible for financial aid, so there's no net impact on those students." "Well, that sounds okay," they would grudgingly acknowledge.

I remember driving up to Blake House once. I had a dinner meeting. It was rainy, it was cold, in the winter. There were fifty or more students out front of the gates, outside of the gates, waiting for me to come, to protest my views on divestment. I got out of the car and I put my umbrella up, and we talked for maybe thirty minutes considering virtually every aspect of this controversy. Finally someone said, "But I disagree with you." I said, "You know, I disagree with you. Now, you're not going to change my mind on this, because I've really thought it through, and you haven't said anything tonight to cause me to change my mind. I also sense that you've thought it through, and nothing I say is going to change your mind. So why don't you go get a cup of coffee. I'd join you except I'm late for a dinner engagement." They were all very pleasant, and they went up to Kensington and got a cup of coffee.

Lage: That makes it sound so easy.

Gardner: I once got out of the car at UC Santa Cruz during one of my visits there. Some fifty students were there with their signs; I forget what they were protesting. I got out and walked up to the leader of it and said, "Who are you waiting for?" "We're waiting for the president," he said. I said, "Well, I'm the president." "You can't be, you're too young," he said. [laughter] I said, "But I am. My name's Gardner. What is your concern?" We had a very useful visit, and then I had to go. That took care of it, not because we agreed or because the issue was of modest interest to them, but because I had stopped and visited with them at my initiative.

Lage: You learned some things at Santa Barbara, it sounds like.

Gardner: I did.

The Alumni

Lage: Okay, alumni, our last constituent group. How important a group is that for a president? That seems very tied to campus to me.

Gardner: It is, it's very tied to the campus. I had relatively little contact with alumni except indirectly. If there was an athletic contest where there were a lot of alumni present, I would be there. I would occasionally, only occasionally, have an all-university alumni gathering when I would visit Los Angeles or Fresno or something--

Lage: All the alumni from all the campuses?

Gardner: Yes, or Washington, D.C., they would all come out. But I had relatively little official contact with alumni. That was really done on the campuses.

The same is also true of development work. I would occasionally be brought in to close a deal, but generally, the chancellors were the ones who had those contacts and I didn't interfere with that at all. If I could help, fine; otherwise, I left it to them.

Lage: You dealt with alumni regents.

Gardner: Oh, sure, as regents. They would ask to see me, and of course I would see them, and they would say, "The alumni are concerned with this or that." That would give me an opportunity to contact them. And the students had a regent; I would work with the student regents. That was a mixed bag. I never worked around the chancellors, however, or gave an impression that my involvement in any way substituted for their working with their respective chancellors.

Lage: The student regent didn't come out of this Council of Presidents, did it?

Gardner: No. Well, they could have, but not necessarily. Generally not, actually. I would say that the quality of student representation was unexpectedly high at times and unbelievably low at others.

Lage: As a regent?

Gardner: Yes. Responsible, informed, conscientious, articulate. And then appallingly poor in other cases.

Lage: How were they chosen?

Gardner: The council of student body presidents recommended a slate of students to the Regents, and the Regents chose one.

Lage: How about the alumni regents?

Gardner: They were chosen by the alumni association representing all of the campuses, and it rotated across campuses, not sequentially, but every campus would over time have an alumni rep serve on the Board of Regents, as a voting member.

Lage: How was that quality level?

Gardner: Generally pretty good.

Lage: Did they bring a different view of things from the other regents?

Gardner: Not a lot. Sometimes, but generally not.

Lage: Did you go to the Big Game?

Gardner: Yes, I would go to the Big Game regularly.

Lage: In an official capacity?

Gardner: Yes, sure. I would entertain the Stanford Trustees and some UC Regents in my box when it was at Berkeley, and when it was at Stanford, we would be in the president's box down there.

Lage: And would the chancellor be in a separate box?

Gardner: Yes, he had his own box. We would split the Stanford Trustees; he would take some and I would take some. And we would split the Regents; he would take some and I would take some.

Lage: And what about UCLA's big game?

Gardner: You know, I really hated the Cal-UCLA game. Oh, you meant USC?

Lage: I was thinking of SC and UCLA, but we can talk about the Cal-UCLA game too.

Gardner: I hated the Cal-UCLA game because we were supposed to be neutral, and you're reduced to commenting upon the quality and execution of the play. It's ridiculous. Libby and I never did enjoy those games.

Lage: [laughter] That would be hard. But did you do the same for the UCLA-SC game as you did for the Cal-Stanford game?

Gardner: No. It was not customary for the president to be present. The UCLA chancellor carried that. The president with the chancellor did it here for the Cal-Stanford game. History and tradition controlled.

Lage: Okay. Anything else about alumni?

Gardner: No, not about alumni. I knew the alumni operations well, having been part of the alumni team at Berkeley for four years, 1960-64.

One thing we did when I was president was to organize the alumni so that their capacity to exert influence in Sacramento on behalf of the University of California was dramatically enhanced.

Lage: The president's office had a hand in that?

Gardner: Yes.

Lage: How did you do that?

Gardner: Well, UCLA had a superb program already in place. Berkeley had an excellent program in place, but most of the campuses had not really developed their alumni programs anywhere near to their potential. I'm glad you mentioned this. I set out to make sure that all the campuses had alumni programs and relations in such a fashion that they could be called upon to give us a hand in Sacramento. We also had the annual Alumni Day in Sacramento, where alumni from all the campuses would come up, I would speak to them in the morning, and then they would fan out all across the capital visiting their legislators. That was a big help.

So the alumni gained in both strength and influence across the University of California. Not necessarily at those campuses where they were already strong, but in general I helped get the alumni program started at several of our campuses. Bill Baker was instrumental in this, too. He did a fine job of that, getting these alumni programs up and running. We put some non-state money into them to help seed them at Santa Cruz, Santa Barbara, Riverside and so forth.

Lage: That is an important program.

Gardner: Yes, I should have mentioned that. Thank you for reminding me.

An Aside on the Presidential Inauguration at UCLA, and a Negligent Welcome by the Regents

[Interview 7: November 15, 1995] ##

Lage: We were going to pick up a few things that we realized had been omitted in past sessions. The first one was the fact that your inauguration was at UCLA. Can you tell how this came about?

Gardner: Yes. I think I indicated in earlier conversations that there had been some awkwardness at the outset between Chancellor Young and myself. He then shortly thereafter--that is, shortly following

my appointment--changed completely in terms of his attitude, and as I previously indicated, he and I then worked as a team. He was very much a part of my administration. He was a constructive force within it. He was both a team player on the one hand, and yet a strong advocate for UCLA on the other, which is what he ought to be. That was one facet.

Secondly, I recalled Chancellor Heyman's inauguration at Berkeley, which was a less than altogether satisfactory experience for most people.

Lage: Now, I've forgotten what this was.

Gardner: They had a lot of trouble with that.

Lage: Trouble with protesters?

Gardner: Yes, a lot of difficulties and so forth. And, I had frankly felt that I had been more warmly received at UCLA than at Berkeley, and I thought for reasons that were perhaps overly personal, but also for more strategic university reasons, it was best to go to UCLA. That's where the main press is, that's where the political power is in the state, and there were a number of reasons why I felt, in addition to the more personal considerations, that UCLA would be a more suitable venue for the inauguration.

Lage: Was it an important matter because of this feeling that Berkeley is the flagship campus? Was there a reaction?

Gardner: Well, if there was, people never told me about it. I didn't have any sense as to anyone's reaction, other than that UCLA was very pleased. No one ever told me Berkeley was displeased.

Lage: And how did the inauguration go?

Gardner: It went very well. It was in Royce Hall. They worked hard to finish the remodeling and seismic retrofitting that had been underway at Royce Hall. They accelerated and completed it. They did a superb job of arranging it. My office worked with UCLA, but the work was done at UCLA, and they did a terrific job. I felt very good about it. It went well.

Lage: Okay. Another point was you mentioned that the Regents didn't make much effort to introduce you around the state.

Gardner: Yes, almost no effort at all.

I of course was not unacquainted with either the Bay Area or California generally. My work with the California Farm Bureau

Federation introduced me to leaders in the agricultural community. My work at the Alumni Association at Berkeley afforded me a wide range of acquaintance and indeed friendship with prominent alumni throughout the state. Similarly, my work at UC Santa Barbara and later in the president's office under President Hitch--so I was not unacquainted.

Lage: Right, you weren't coming as an outsider.

Gardner: No, I was not. But I had been gone for ten years. That's a long time. And while I kept track of things, I didn't do so in any intimate sense, as I was busy at Utah. I didn't seek to maintain my contacts or keep them up here in any systematic or consistent fashion.

So when I came back, I thought, Well, I need to find ways of reestablishing my relationships and to take account of things that have changed, new people whose views I need to welcome and whose influence would be helpful and whose acquaintanceship would be beneficial to the university.

The Regents took no steps whatsoever, collectively or individually, except in two cases, to help facilitate that. Now, I know friends of mine who are presidents of universities around the country, and there's a very determined, deliberate, systematic effort made on the part of the board, the governing board to help new presidents get started.

Lage: You would think the board would be the ones to do that.

Gardner: They are the only ones to do it. The governing board should make sure that a new president is properly introduced around the state, with the governor, with the legislature, with key alumni, with major donors, with the corporate community, with the leaders of the minority communities, and so forth, so the person can do his or her work. There was almost none of that when I came to California, which, frankly, I found to be quite astonishing.

Lage: Do you have an explanation?

Gardner: No. No, I really don't. I think it's neglectful.

Lage: Did you ever ask for it?

Gardner: No.

Lage: You didn't think that was appropriate?

Gardner: No, I wasn't going to go begging for it.

Now, there were two notable exceptions. One was with Sheldon Andelson, a regent from Los Angeles who was a leader in the gay community in Los Angeles and who I thought might be somewhat apprehensive about my appointment, but was one who went out of his way to make sure I felt welcome and went to considerable effort to introduce me to the Los Angeles power structure.

Lage: The entire power structure you're talking about, not just the gay community?

Gardner: Yes, the entire power structure. In fact, he made no effort to introduce me to the gay community whatsoever. He owned Trumps Restaurant in Los Angeles, which was quite a famous restaurant there at the time, and invited me down for a breakfast. The major political figures, the major corporate leaders, heads of various institutions and important organizations in the Los Angeles area were invited and came. I had a real chance to meet some of them. It was the first time I met Speaker Brown after I had arrived on the job. And he came, as an indication of the importance of the people that Sheldon Andelson was able to get to come. That was a big help, and he was a big supporter of mine on the Board of Regents, interestingly. Unexpectedly, I'll have to add.

And then Joe [Joseph A.] Moore. He and his wife, Gladys, had a dinner party for Libby and for me at their lovely home in San Francisco. I don't remember everyone who was there, but the Bechtels were there, and people of that consequence and importance were present. So that was very kind of him.

But in terms of regents--

Lage: That should have been repeated many times over.

Gardner: Yes, that's exactly right, but it wasn't.

Lage: It's interesting. Does that say something about how they saw their role?

Gardner: Well, I don't know. It was a mystery to me. I remember no one undertook to introduce me to the governor, or Speaker Brown.

Lage: Saxon took you to see the governor.

Gardner: Yes, but that's different. He's my predecessor. One of my bosses should have taken me. I mean, the Regents should have arranged to have done that. In other words, key Republican members of the board should have introduced me to the key

Republicans in the legislature. Key Democrats who were regents should have introduced me to key Democratic representatives in the legislature. The chairman of the board and other key people should have introduced me to the governor in a more orderly and protocol-responsive way, and this was not done. I had to do this myself. It was okay, but it would have been a great help if I had felt there was more support there.

Lage: Were you able to suggest this when you left office, that it might be done for the next president?

Gardner: Well, Jack Peltason already was in the University of California. He had been chancellor for seven years, and when he took my place, he already knew all these people, so there wasn't the same need.

Lage: It wasn't the same situation.

Gardner: No. And I had been gone for ten years when I was appointed. He had been in the state for the seven years just prior to his appointment as president.

So that was always strange to me, that the University of California should be so either indifferent to the obvious needs of the new president, or uncaring. I was never sure which one it was.

Lage: Or unaware of the importance of this kind of a network.

Gardner: But they had been around for a long time, you know. You would think, these people, they're in the network. It's not as though they're naive about these matters. I found that to be a great mystery.

Lage: What importance does this kind of social contact with movers and shakers have for a president?

Gardner: It has a great deal of importance. After all, the president of the University of California is by definition an important player in the state. In meeting other members of the power structure, you get a sense as to how easy or how difficult those relationships might be. It affords them the opportunity, early on, to share with you either their concerns or their confidence in the university. It makes it easier if you have to place a call to them, to know them and to call them by their first names, to know who they are, and for them to know you. It makes it easier to invite them to a dinner or a luncheon, to stop by and see them if you're in San Francisco, or in Los Angeles or San Diego or the valley or whatever.

And it's the network that is important. I am much better off knowing who I'm going to see in the state assembly or in the state senate if I've previously met that person. I will have a better sense of who that person is, how to interact with that person, how to approach an issue, how to accomplish my objectives, if I know that person and if that person knows me, so we can have a more straightforward, less hedged-about kind of conversation.

Planning the Year's Calendar

- Lage: This is a little off the track of what you were talking about, but in terms of your own entertaining later on throughout your presidency, did you do a lot of that at Blake House?
- Gardner: Yes, we did. What we would do, usually in August of each year, Libby would come into the office or we would go to Blake House with Nancy Nakayama and Libby's social secretary.
- Lage: Who was?
- Gardner: Maggie Johnson--and then later Pat Johnston. Maggie was terrific; she knew everybody in the institution.
- Lage: From a previous position?
- Gardner: Yes. She was Nancy Hitch's and Shirley Saxon's social secretary. She knew everybody, where all the skeletons were, and who to sit next to whom at functions. She was fantastic.
- Lage: How about Pat?
- Gardner: Pat used to work for me when I was a vice president. She was my secretary, so I knew her well. But Maggie broke us in. Then she passed away of cancer about five years after we were in the job. Then Pat was with Libby for the last part. She did a fine job and helped us greatly.

We would sit down, the four of us--Maggie (or Pat), Libby, Nancy Nakayama, and I--and we would take the calendar for the upcoming academic year, and we would start out by booking functions in advance that we knew were scheduled and which we were obliged to attend, e.g. Regents' meetings, and the social functions associated with those. The day when the alumni would come into the state capitol and work their influence on

legislators, I had to be there for that. Things like that. We would book in things we knew we had to do.

We would then book in those things that we wanted to do. We wanted to have a dinner, say, for the Academic Council, or a dinner for the student body presidents, or a dinner for some key alumni, or a dinner for some key legislators, or a dinner for some of the corporate leadership.

We would then review the list of distinguished visitors who we knew would be visiting one or more of the campuses--heads of state, ambassadors, Nobelists, other leading figures in letters and science and so forth, government officials of one kind or another--and we would set aside possible dates to see what we might do there. And we would just methodically go through each day and week and month of the upcoming academic year.

Then whatever time we had left, we would try and do things that we thought were fun, like we would go to the games, and before the game, we would have a nice luncheon at Blake House for our guests that day. Other functions like that.

Lage: Who would come to that? Would that be friends, or would that be people important to the university?

Gardner: Well, for the Stanford game, we would invite the Stanford trustees. UCLA, we would invite some of the UCLA alums as well as some of the Cal alumni. Other times, we would invite personal friends that we wouldn't otherwise have occasion to see as often as we'd like. Other times, we would invite key government officials, both federal and state, or local government officials, or prominent alumni of one kind or another, or donors. So we would work all that out, and we would work the lists up.

Lage: It sounds like it kept you pretty busy.

Gardner: It did. So while I was there, we would do all the sketch work. It would all be sketched out. Then Libby and Maggie and Nancy would sit down and flesh out the guest list. It was a lot of work, to flesh out the guest list. And then Maggie, of course, would arrange for all the invitations. She would arrange for the caterer, valet parking, flowers, and so forth. Libby would sign off on the menus and the basic arrangements. Maggie, as did Pat Johnston later, would work up a seating chart, and we would go through it, because she knew a lot, but she didn't know everything. I would know, for example, that we couldn't sit A next to B; this would result in a decidedly unpleasant conversation between A and B! Then we decided where we wanted to

sit. And that was a lot of work, so we did a great deal of that at Blake House.

Lage: And you use the word "work." It sounds definitely like part of the job.

Gardner: It was work. It was part of the job. I mean, it's interesting that people would say, "Well, you know, Gardner has this great house," or, "The president has this great house, and this expense account." But that's all work. It's all work.

Lage: I can see that. Could you run the university without doing that kind of thing?

Gardner: Not very easily. You would be quite isolated. You wouldn't have the effective capacity to work the network. You would not have the range of personal contacts and friends that you would develop over time. You would not hear a lot of things that you otherwise hear at dinner, or in the course of a reception or a luncheon or an early breakfast. It's an essential, integral part of the job.

Lunch with the King and Queen of Spain

Lage: Are there any memorable visits from heads of states or anybody else you want to mention?

Gardner: Oh, yes, there were quite a few of them, actually. I remember the King [Juan Carlos] and Queen [Sophia] of Spain were visiting, and it was a very hot day. There was a lovely luncheon at University House on the Berkeley campus that was hosted by Therese and Mike Heyman, and by Libby and by me. And [laughs] you know I don't drink wine. So we served the very best California wines to our guests, and we had some regents there, some legislators were there, the governor was, prominent people from the Bay Area. We had a number of professors from the Berkeley campus who were there, and so forth. It was a very nice occasion.

Libby hosted one table, with the king on her right. I hosted another table, with the queen on my left. And the waiters, of course, all knew how to handle Libby's wine glass and my wine glass. They had come in and they had put either apple juice or white grape juice in. Remember, it was a very hot day.

So I was drinking my juice like it was going out of style. The rest of our guests were drinking wine, of course. So halfway

through the luncheon, the queen leaned over to me, and very quietly said, "May I ask what you're drinking?" [laughter] She was wondering if I was an alcoholic or something, I'm sure.

I said, "Well, I'm drinking apple juice." And I explained why I was drinking apple juice. She said, "Oh, I see." Then we went on, continued with our lunch. And then when the rest of the table was engaged in an active discussion on some issue, she very quietly turned to me and she said, "I would love some apple juice." I said, "You'd like some apple juice?" "Yes," she said. "Wine gives me a terrible headache, especially midday. I can't say anything about it, however, because we're trying to market Spanish wines." I said, "I'll get you some apple juice."

Then just before the end of the lunch, of course, it was my pleasure to acknowledge our visitors, and to toast them. So as I was getting ready to stand to do this, she leaned over again and she said, "How do you give a toast with apple juice?" I said, "Well, first of all, it's in a wine glass. Secondly, everybody's been drinking wine the last hour and one-half. They're not likely to notice what's in my wine glass. And thirdly, you can't tell the difference anyway, unless you're close to it and study it. It's not a problem."

She said, "You know, the king has the same problem as I do. I'm going to tell him about this. It's a great idea." They were wonderful people.

Then we went over to Zellerbach Auditorium after lunch. The king was to give a speech there. The platform party was in a little room off to the side waiting to be called in. We had tight security around because there are a lot of Basques in the Bay Area, and there were a lot of problems in Spain between the government there and the Basques.

All of a sudden I see this young man walk into the room, hair down to his shoulders, ripped Levi's, old shirt, loafers on, and no socks. I thought, How did this guy get through security? The next thing I know, the queen is over giving him a big hug. It turns out that he was one of the princes of the Netherlands, who was a student at Berkeley at the time. [laughter] She knew him, of course.

Lage: Would she have been related to him?

Gardner: Yes, distantly. But they all knew one another, in any event. I was there, and she was saying, "How do you like Berkeley?" "I love Berkeley," he responded. "What are you going to do next fall?" He said, "Well, I want to stay here, but my mother wants

me to return home." And the queen said, "Well, then you will return home." [laughter] That was that.

A Visit from François Mitterrand

Gardner: Then I remember when the president of France, François Mitterrand, came in 1984. He lectured at Wheeler Auditorium, and it was a memorable occasion. We greeted him at the base of the Campanile. This was within two or three days of Governor Deukmejian having vetoed a bill that would have--well, his veto was vigorously opposed by the gay and lesbian communities. I forget what it was, actually, but they were not happy. The governor was to have been on the campus to help greet President Mitterrand, but his plane was delayed out of Los Angeles, so Libby and I had the pleasure, along with the chancellor and Therese Heyman, of greeting him.

But the gay community did not know that the governor was not going to be there, so they had come, along with a lot of other students, to protest the veto by the governor of a bill supported by the gay community. So poor Mitterrand walks into all of this.

Lage: With no idea--

Gardner: With no idea what was going on. I explained as best I could to him what was happening. He didn't care too much; he's quite used to these things. But we had to walk from the Campanile to Wheeler Auditorium, and it was like walking a gauntlet. On both sides, there were very unhappy people with signs, shouting--I think some of them confused Mitterrand for the governor--all these complications.

The French security forces were going crazy, as was the Secret Service contingent that was accompanying Mitterrand. Didn't faze Mitterrand. It was an experience to watch him work the crowd.

Lage: Did he relate with the crowd?

Gardner: Yes. People would be shouting, and when the decibel level rose to a certain point, he would walk over and talk to the most vigorously protesting person, and he would speak very quietly. If anybody wanted to hear him, they had to all stop shouting, so they all stopped shouting. And he would talk with them, and then he would move on, and the crowd build up again, and he would stop. It was a masterful thing to observe.

After his speech in Wheeler Auditorium, we had planned to drive to University House for a luncheon honoring him. He said, "Oh, it's a beautiful day. I haven't been on this campus for fifteen or twenty years, and I want to walk." You can imagine how the security people were going crazy. They sought to persuade him to ride. He said, "No, I'm going to walk." Of course, we went with him, and walked from Wheeler Auditorium to the University House.

The entire way, he was harassed by Iranians who were unhappy with the French providing armaments to Iraq during the Iran-Iraq war. They were not happy campers. So the Secret Service had a rope on each side--a moving rope, they walked with it--to keep him separated from the Iranians who followed us all the way to University House.

Mitterrand acted as though they were not even there.

Lage: He didn't stop to speak with them?

Gardner: No. He would say to me, "I remember seeing this over here when I was on campus last, but I see you have changed this over here," just completely ignoring this group of people. Just as we got to University House, some of these people ran up on the University House lawn. The chancellor, of course, was living in University House. Mike saw them run up on his lawn, and he said, "Hey!" You know, Mike's a big guy, big booming voice. "Hey! Get the hell off of my lawn!" [laughter]

Lage: Like a suburban householder!

Gardner: And Mitterrand laughed. It was really funny. Anyway, we had a good time, and it was fun.

Lage: That's a great story.

Gardner: Yes, and there are a lot of stories like that.

Helmut Kohl and the Straw Hat Band

Gardner: Then Chancellor [Helmut] Kohl is a personal acquaintance of mine from Germany. I had had occasion to meet and work with him for a couple or three years, and invited him to give the Tanner Lectures at the Berkeley campus in the Greek Theatre. I tried to get him for about eighteen months, and finally did. He came to

the United States for the express purpose of giving these lectures. It was a great honor for the university.

Well, he's a great big guy, you know, very imposing, outgoing, very brilliant politician, and I think an historical figure in the history of Europe, actually. When he and Mrs. Kohl came, I met him at the airport and a small bus took us to San Francisco where we had a welcoming party. The next day, we greeted him as he arrived at California Hall on campus, Chancellor Tien and I did. On that occasion he announced the German government's support for a new center for German and European studies at Berkeley which the German government was funding and which I had been involved in getting for Berkeley. Chancellor Kohl gave me a wonderful fly-fishing pole from Germany, which I use and enjoy today very much.

He was aware that Libby had passed away earlier that year (1991), and he and Mrs. Kohl just could not have been nicer to me and two of our daughters who were helping me host the Kohl party. They went out of their way to be nice. He was here in the Bay Area for three days, and we hosted him for most of that. He spoke at the Greek Theatre and was a big hit. The Greek Theatre was full. It was a wonderful occasion. And as we were in the back of the stage robing for the affair, two of my daughters were there. He gave them big bear hugs, and asked how they were getting along, and so forth.

Lage: Very warm.

Gardner: Very warm, and we have wonderful photographs of him and Mrs. Kohl with my daughters. Mrs. Kohl was terrific. She got them aside, said, "You're going to get through this okay," and she was really--because my wife had passed away about eight months before that, so it was still pretty fresh. They were just terrific.

We had a dinner party that night honoring Chancellor and Mrs. Kohl at Blake House. Governor and Mrs. Wilson came, a number of professors from the cognizant departments of the university came, some of the corporate leaders, his entourage--the German ambassador to the United States, the consul general of Germany from San Francisco--and it was a very lovely occasion. I had invited the Straw Hat Band from Berkeley to come up and entertain us.

It was a lovely September evening. We were out in the gardens at Blake House in front of the home. The leader of the band, who was a student, came up to me and he said, "Do you think Chancellor Kohl would like to lead the band?" I said, "Oh, I don't know. He's head of the German state, he's chancellor of

Germany. They tend not to do these things over in Europe, they're not nearly as informal as we are. So I don't know. I'm not sure what to say to you about it."

He said, "Well, do you think the governor would?" I said, "Oh, yeah, I think the governor would love to do it. Why don't you ask the governor?" So he did, and the governor said, "Yes, I'd love to do that." He started to walk out to lead the band, and they gave him a straw hat. I was standing next to the chancellor, and he said, "Is the governor going to conduct the band?" I said, "Yes." "I want to do that, too!" [laughter]

Lage: You're kidding!

Gardner: No, this is true. So I called the student director over and said, "The chancellor would really like to do this." So they gave him a straw hat, and he went out and conducted the band. We have photographs of it; it's really quite fun.

Lage: Oh, how wonderful.

Gardner: And they had a wonderful visit. Pictures of him conducting the straw hat band appeared throughout the German newspapers the next day.

Lage: You said you had worked with him before. Was this before your presidency?

Gardner: No, it was during the presidency. He invited seven university presidents from the United States over to Bonn to visit with him for two days. We were with him for two straight days. He was concerned that, after World War II, with the reconstruction of Europe, the Marshall Plan and so forth, a wide band of acquaintance and friendship had developed between European and American academics, government officials, and business people. Well, that generation was beginning to retire, die, becoming disabled, whatever. And he observed that the number of such relationships was now shrinking, and he was concerned about it.

Lage: A lot of foresight.

Gardner: A lot of foresight. I thought that was quite visionary on his part. He invited us over to share some ideas with him and his ideas on us. We met with the heads of the major German private foundations, the Volkswagen Foundation and so forth, and with him, and with his key advisors for two days.

Lage: What about other universities?

Gardner: Well, the president of Harvard--

Lage: But I mean from Germany?

Gardner: None. None of them was there, except for the head of the German rectors.

And the result was that he decided to fund three centers for German and European studies in the United States.

Lage: I see, so it grew partly out of that.

Gardner: It grew directly out of that. We all had to compete with one another.

Don Kennedy was president of Stanford, and he was not able to attend this, but had been invited to do so. I talked to Professor Buxbaum at Berkeley, who was the key person to help negotiate this for the University of California and to prepare the proposal that we would submit, and I said, "You know, Dick, there are only two universities in the western United States to be considered for these centers."

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Gardner: Except for Washington University in St. Louis, the rest of them were all in the northeast and Washington, D.C. I said, "Why don't Stanford and the University of California submit a joint proposal? Stanford has a lot of strength and we do too. We ought to combine them." He said, "Well, I'm for that. Let's do that." He sounded Stanford out, and so forth.

Well, they weren't interested, because they thought they had an inside track with the German embassy, where they had very long and strong contacts. I said, "Well, that's too bad. Please proceed with a UC proposal." I called Don Kennedy to make sure that he knew that had been the decision of the people at Stanford who were most likely to be involved. He said, "Yeah, well, I think we ought to submit separate proposals."

I said, "Fine," so we did and then we got it, and Stanford didn't. [laughter] The result was that Harvard, Georgetown, and the University of California received these centers. And there were a number of other things I won't burden this oral history with that came out of those conferences with Kohl, but the result was an ongoing contact with him and key advisors in his office, and he then came to Berkeley as a result of this invitation.

Lage: So there are educational reasons for a lot of these visits.

Gardner: Oh, absolutely. And I said to Chancellor Kohl, "I'd find it to be astonishing if the president of the United States would spend two days with seven university presidents. Please mention this to President Bush when you see him next. Hopefully, he'll think about doing something as well." I did see President Bush about four or five months later at a function, and he mentioned it, but he didn't do anything. [laughter]

Other Distinguished Visitors

Lage: Anybody else you want to mention along those lines?

Gardner: I thought President [Corazon] Aquino of the Philippines was a very impressive woman, a steady, courageous, but also very pleasant, warmhearted individual. I enjoyed meeting her.

Lage: I remember that visit. I went to hear her in the Greek Theatre. She was impressive.

Gardner: Yes. Oh, I could go on, but I think I don't want to take too much time on this.

Lage: Okay.

Gardner: Well, one other was [Václav] Havel from Czechoslovakia, who was not at Berkeley but was at UCLA. He's a most impressive person. He gave the Tanner Lecture at UCLA, and it was a most memorable occasion.

Lage: Do more of these visits occur here at Berkeley, or you just happen to remember more, or did you attend more when they were here?

Gardner: No, if a head of state came to any campus of the University of California, I would attend. Like [Carlos] Salinas down at UC San Diego, I was there and came to know him, President Salinas of Mexico.

Lage: Sounds like an interesting job you had.

Gardner: It was an interesting job. You meet a lot of interesting people.

Lage: Okay. Well, this might come up in some other context; it's kind of social-activity oriented.

Gardner: Social, yes, but it was intensive, it was varied, and it was important, and by and large, we enjoyed it, and Libby was superb at it. She was very good at it. She made everybody feel welcome, and she was a person who did pay attention to detail, and of course, that's all the difference when it comes to these functions. I always felt confident it would be done right because she was overseeing it; and it was.

Lage: That's nice, you don't have to think about it.

Gardner: Yes.

The Role of the Presidential Spouse

Lage: In that context, maybe this is a good time to raise the question that came up about making the chancellors' and presidents' wives official.

Gardner: Yes. In the 1980s, there was considerable discussion among the wives of university presidents all across the United States, two or three books on this issue had been written by either former or then-serving spouses of university presidents, about the awkwardness that attended their role.

What do I mean by that? I mean where they live, a university-owned home, was always the object of media attention and the object of political interest on the part of legislators or governors. This big home they're living in, what does it cost to maintain it? What does it cost to repair it? What did it cost to buy it? What's it costing the state to keep these people in this kind of luxury? Not recognizing that it is by and large a burden, not a pleasure, to live in these big old houses that require workmen around all the time, that are used mostly for public purposes, people pressing their noses up against the windows, and your gardens are open to the public, as Blake House is, and so forth. So it's media fodder and a cheap way of attacking an institution in terms of some politicians. This happens all over the country. That's the first point.

The second point is that there was very little recognition of the amount of work and effort that conscientious spouses expended in behalf of the university. I know, for example, that Sue Young at UCLA and Jean Aldrich at Irvine and Susie Peltason at Irvine--and I can go on, Pat Krevans at San Francisco--they spent forty hours a week at this.

Lage: And Libby as well?

Gardner: And Libby as well, absolutely. No compensation, and very little recognition. So there was a lot of unhappiness all across the country on the part of spouses, and it was the object of discussion at various national conferences and so forth, especially as more and more spouses were refusing to play these roles and/or were pursuing their own careers. Then, there was an effort to find some appropriate way of acknowledging their role, but without compensating it, because most of them didn't really want compensation. Some did, but overwhelmingly they did not. Libby did not. They just wanted acknowledgement that they were doing something useful for the institution.

I thought we could call these spouses who wished to make that commitment--it would not be automatic; a spouse, for example, may choose not to do that, but may be a practicing attorney or a professor instead--

Lage: Therese Heyman had her own career.

Gardner: Yes. Exactly, right.

Lage: As did Mrs. Bowker.

Gardner: That's right, and they're perfectly free to do that, no pressure at all. But for those who did choose to make that commitment to the role of presidential spouse as first lady, there ought to be some acknowledgement of it. So the Regents agreed to designate them as an associate of the chancellor, or associate of the president. The only benefits they had--there was no current compensation for it, none. They were able to have a university driver when they were on a tight schedule going from one function to another and parking was difficult, or over to San Francisco, or back here and so forth, or up to Sacramento at night for attendance at university functions. They were to be protected under the university's insurance protections, which I thought they needed to be. They had access to the library and a few other things, just like any staff person would, but there was no current compensation.

And the Regents did agree to provide severance pay when they left the institution of 5 percent of the chancellor's or the president's salary, cumulative over the years of service in that position. So there was no current payment, but there was a 5 percent of the salary when the chancellor or president left the job, because a lot of these women were forgoing income they could have made themselves, and instead devoted themselves to this task. That was all acted on and reported publicly, it was

reported in the newspapers, it was acted on by the Regents, and generally speaking, it was commended all around the United States as an inventive and progressive move by UC to deal with this problem. But when I left office, it was not.

Lage: It got turned around--

Gardner: It got completely turned around by people wishing to criticize the university, the Regents and me. Before, everybody thought, "Well, that's a very enlightened approach." It was at no or little cost to the institution by and large, especially in consideration of the services that were being rendered, and they would get some acknowledgement and recognition for their work.

And I don't apologize for it at all. I think it's exactly what we should have done, and for people who are offended by it, I'm sorry about that, but they don't have to do the work. I've seen these spouses up late hours, early mornings, doing this work, and getting very little acknowledgement for it, and I thought they deserved it. So that was and remains my view.

Lage: It was a popular move at the time, kind of a women's issue thing.

Gardner: It was a popular move at the time. It was; I got letters from women all over the country congratulating us. Spouses of other university presidents wrote to say how enlightened the University of California was, and so forth. So I found it to be absolutely astonishing when I left office that the whole thing should have been so distorted, so cynically distorted and then sensationalized by the press for their own purposes, turning a real plus into a perceived minus for UC.

Lage: It's still in place, isn't it?

Gardner: No, the Regents eliminated it under pressure.

Lage: Oh, they eliminated it? I had forgotten that.

Gardner: Yes. They should not have eliminated it. They should have kept it, in my opinion, and they should have explained why it was put into place and why they were going to keep it.

A Brief Encounter with Former Governor Jerry Brown

Lage: You had mentioned--maybe we should have taken this up earlier--something that occurred at the memorial service for Sheldon Andelson.

Gardner: Oh, yes. Well, Regent Andelson passed away of AIDS, and it was a real loss to the board, because he was a fine regent and a very conscientious person. His family arranged for a memorial service at Royce Hall, UCLA. It was completely filled, 2,000-something people. He was well respected in Los Angeles. There were three speakers: former Governor Jerry Brown, Senator Ted Kennedy, and I. This was at the request of the family. I thought to myself, Only in California. Here is a Mormon speaking at the funeral of a gay activist, and we were friends, and I'm a conservative, with Senator Kennedy and Governor Brown. I thought, Only in California. It's a reflection, I think, of the wide range of regard and respect in which he was held.

In any event, the three of us, Senator Kennedy and Governor Brown and I, were waiting in a little side room to go in, because we were to be on the stage, or I forget what it was, but we had to speak. Governor Brown had just flown in from Southeast Asia for this, and you may recall that he was very supportive of the possibility of my serving as UC's president in the 1970s. So we always got along.

But he said, "How's it going?" I said, "Well, it's going quite well." I indicated what was happening. "We're getting very good support from the state." He said, "I understand you're getting wonderful support from Governor Deukmejian." I said, "Yes, we are, and we surely needed it." [laughter] He looked at me, and he said, "Well, I guess I deserve that, don't I?" I said, "Yes, you do."

Lage: I'm surprised he acknowledged it.

Gardner: He did, and he was very gracious about it.

Lage: That's quite interesting. And how about Ted Kennedy?

Gardner: I was pleasant about it, but I was making the point. Senator Kennedy was sitting there with a big smile on his face. He knew what was going on.

Lage: Okay. Well, that's a good little story.

Gardner: Yes. These are just little vignettes, but these things happened almost every day. But that kind of pops out.

Lage: But they stay in your mind.

Gardner: Yes.

A Practical Approach to Problem-Solving

Lage: Then there was one other little thing--you mentioned streakers at Utah.

Gardner: Oh, at Utah. Well, I mentioned it because it's a reflection of how I approached my job, and something about my administrative style. I had not been at Utah very long before I read of the streakers in the southern universities. I thought, It's going to take about two weeks to get to the Rocky Mountains. I called in the chief of police and I said, "You need to think about how you're going to deal with this. Work with the vice president for student affairs, and work it out, and then come back and tell me how you want to handle it."

Lage: Were these university police you had, as we do here?

Gardner: Yes, university police.

They came back in three or four days, and they had this very complex plan, somebody would be responsible for this and somebody would be responsible for that, this, and invoking certain regulations and laws. I said, "No, no, no. Look. Let's make this simple. There are too many moving parts to your plan. Let's keep it simple. As long as they keep running, they're streakers. Just let them go. Don't bother with them. The minute they stop, they're exhibitionists, and arrest them." And that's what we did.

Lage: Did they keep running?

Gardner: It was a mix.

I take a very practical approach to these matters, and I try not to bureaucratize our solutions or the way in which we undertake to resolve problems. I try to cut through all of that as best I can.

I remember at UC Santa Barbara when I was a vice chancellor there, a very distinguished Shakespearean professor in the Department of English, Murph Swaner, came up to me one day. He said, "I've got a terrible problem." I said, "What's that?" He said, "Well, a number of my students are involved in the Shakespeare Festival at Ashland, Oregon. This is almost like a lab for them. They're up there for part of their senior year. But university regulations require them to be in residence, so this is presenting me unbelievable problems."

I said, "It's easily solved. All you have to do is define the experience at Ashland, under your direct supervision, as being in residence. You just include the Ashland experience in the definition of term residency. That's all you have to do," and that's what they did. It worked.

Lage: [laughs] That's another good example.

Gardner: I'm just trying to give you a little insight into how I think about administrative matters. I like to keep it simple. I don't like complex--"too many moving parts" is one of my favorite phrases.

XI THE UNIVERSITY'S EXTERNAL AFFAIRS AND SOME CONTROVERSIAL ISSUES

Issues with the Federal Government

Lage: I thought we would discuss federal relations, and the labs, and all that.

Gardner: Sure. Most of my governmental work was in Sacramento, not in Washington.

Lage: But you did mention that that was an important part of the university.

Gardner: It was important, but in terms of where I spent my legislative time, I spent it mostly in Sacramento. However, we had a full-time office in Washington, D.C., as we did in Sacramento. They would work it on a daily basis. Vice President Baker would be there quite often representing our interests. And the chancellors, of course, worked that circuit as well.

Lage: That's what I wondered.

Gardner: Yes. Like when Chuck Young went back to Washington, he would see legislators from Los Angeles County and his sphere of influence, as it were, and Mike Heyman would do the same. So I used the chancellors, and they used themselves in that sense just quite naturally as part of their job, to cultivate those contacts and work that network.

Lage: What were they wanting from their legislators?

Gardner: Well, for example, most of the research in the University of California is funded by the federal government, and when they fund the research, it comes in two parts. One part is the direct costs of the research. That's funded in one piece. And the

second piece is the overhead cost to the university of supporting that research, the overhead including the cost of heating and cooling and cleaning and maintaining the facilities, and the depreciation of the buildings, administrative costs to support it, departmental costs--

Lage: Library.

Gardner: Yes, the library support, and all that. That's in the overhead.

Well, the overhead issue, as Stanford discovered, is a lively issue, and it always has been. There's always a state of tension between the universities of the country and the federal government on the overhead recovery rate. The same thing was true while I was president. You change the overhead rate 1 percent, and you're talking about several million dollars. That's a lot of money.

Lage: It certainly is.

Gardner: So we had to be active players in that arena.

Lage: I somehow naively thought this went on between bureaucrats.

Gardner: Well, it does, but they take direction, though, from--

Lage: So Congress gets in on this?

Gardner: Well, the Congress would not directly get into it, but they could if they wished, and they sometimes threatened to, and, as in the case of Stanford, did so. But generally, it's the bureaucrats, but not a single bureaucracy. If you get a grant, say, from the Department of Defense, you're dealing with one bureaucracy. If you get a grant from the Department of Energy, it's a completely different bureaucracy. They all have their own regulations. They're not the same.

We had to have a capacity to be part of that dialogue on an ongoing basis, because we had a lot at stake.

Lage: So your chancellors would get involved with that.

Gardner: Yes. This is just one illustration. Student financial aid is another one, and we were active players in that, trying to maximize the amount of student financial aid, and the kind of aid that the federal government was willing to support, in light of the kind of student body we had. We would be actively involved in that.

I could go on, but all of the full range--and the federal government would create major new research centers here and there.

Lage: Oh, yes, the superconducting supercollider.

Gardner: Oh, I've talked to you about that. The ones that we wanted to get in the University of California, we wanted to get our oar in. And then the national associations for higher education in Washington weren't necessarily holding the same view on some of these matters as the major research universities, so there's a lot of internal--

Lage: So you also were--

Gardner: Yes, we would be interacting with our colleagues in the professional associations there, trying to bring them around to our view. We had ongoing interaction with the National Academy of Sciences, the National Institutes of Health, and got UC people into key advisory groups. There's a lot to be done in Washington. I oversaw a lot of it, but I didn't personally spend a lot of time there.

Lage: You weren't needed, or it wasn't your choice?

Gardner: I wasn't needed. I was needed more in Sacramento. I was more effective there than I think I would ordinarily have been in Washington. You can only do so much. And D.C.'s a long way from here. So I mostly had to rely on others to do it.

Lage: I was quite amazed when I read--this was in your final talk to the regents--federal research grants doubled during your presidency to more than \$1 billion. It's incredible.

Gardner: Yes.

Lage: Eleven percent of federally sponsored research in American universities goes to UC.

Gardner: Yes, up from 10 percent of all federally funded research in American universities. So we increased our share by 10 percent.

Lage: And that overhead is very important in keeping the university going.

Gardner: Oh, you aren't kidding. It's lots of money.

Lage: Do you see problems coming up from Washington?

Gardner: Yes, absolutely. There's going to be substantial downward pressure on it.

Leveraging Federal Overhead Charges in Sacramento

Gardner: The other thing is that I would leverage the state for building and equipment such that I was able to demonstrate to the state that if they would provide us with a building, we would more than pay it back from the research that would be undertaken within that building, because the state took 50 percent of our federal overhead dollars.

Lage: Does it go into the general budget?

Gardner: Yes. We lose 50 percent of it. I mean, it's not unreasonable, because they pay for a lot of our overhead costs, so that's okay. But the fact that we were successful in getting our building program through the state, as we were every year I was here, meant that we were better positioned than most universities to compete for the federal research dollars.

Lage: And did Sacramento respond to that?

Gardner: Yes, they understood that. I don't think there was a building that we asked for in any given year that was not funded while I was president. We lost one bond issue. Other than that, we won every bond issue. There wasn't a single building I asked the governor for that he didn't put on his list and the legislature did not in fact approve.

That made possible then the construction of laboratories, which are used for teaching as well as research, and the provision of equipment that made us more competitive than the institutions with which we were competing for the federal dollar. It dramatically strengthened our research capability and our competitive position.

In addition to that, we secured legislation, with Senator John Garamendi's help, that permitted us to use our overhead to build these buildings directly. The debt service would be met from overhead on the new research that would come in as a result of our having the new building and additional labs and equipment that we wouldn't have had if we would not have built the new facilities.

Lage: You mean the overhead that you retained?

Gardner: In other words, if we could demonstrate that if we built Building A, Laboratory A, that over fifteen years we would get enough overhead to retire the debt, we could borrow and build it. We got that through.

Lage: That was a new approach.

Gardner: This was a whole new approach. A lot of our buildings were built as a result of that legislation.

Lage: Has it worked?

Gardner: Oh, yes, sure.

Lage: We've paid it back?

Gardner: Yes. We built \$4.3 billion in buildings over the time I served here, funded from state funds, federal funds, overhead, student fees, private contributions and rather ingenious financing arrangements that we worked out.

Lage: Amazing.

Gardner: Yes, it is amazing.

Lage: Whose idea was that? That sounds like very creative financing.

Gardner: People in our budget office proposed using earned overhead to retire debt on research facilities. It wasn't my idea.
[laughter] But I sure liked it.

Lage: You gave a persuasive argument, I can tell.

Gardner: Oh, yes, we got it through.

The Superconducting Supercollider

Lage: I mentioned, and you took up, the superconducting supercollider. Is that a story that's worth recording here?

Gardner: I think it's worth noting.

Let me say at the outset that the way it worked out, with the Congress eliminating the funding for this project--

Lage: Eventually.

Gardner: Eventually. It's just as well we didn't get it. But not knowing that at the time, all of our nuclear physicists and a number of engineers in the University of California were insistent that the state of California compete for the SSC, the superconducting supercollider. I was a little uneasy about it because of the cost, and the fact that the University of California would have to take the lead in it, and the political balance of power in the Congress suggested to us, as we counted votes, that it would not go to California, but that it would go to Texas, and we were right as it turned out.

But that's what the faculty wanted, and I felt, Well, okay. So we got in it with both feet. Bill Baker was our point guy. We were getting very lukewarm responses out of Sacramento. I told Bill, "Hey, we're not going to go with this if we're not going to get support from our own state, because Texas has mobilized the whole state, Illinois has done the same thing, and we're sitting here as though the whole world is just going to come to us anyway," which is one of California's afflictions. Attitudinal afflictions. We went up and talked with the governor about it, and he didn't seem all that enthusiastic about it.

Lage: This is still Deukmejian, is it not?

Gardner: Yes. He said, "Gee, that's a lot of money." I said, "Well, look, Governor. If we don't want to go after it, then let's not go after it. But if we're going to go after it, we've got to really go after it. We can't just make a gesture. If we want it, we're going to have to compete for it, and if we don't really want it, let's not compete for it. What do you want us to do?"

He finally said, "Okay, let's go for it." But I never thought he was that enthusiastic, because there wasn't a lot of follow-through from his office, basically. Maybe he was right. [laughter] But in any event, we went after it as best we could. We did all the site work: where could this possibly go? We did all the studies. We asked the Lawrence Berkeley Laboratory [LBL] to do a lot of the baseline data studies. We did all the work for this.

Then we couldn't get it through the legislature in a timely way.

Lage: It didn't get approved by our legislature?

Gardner: It did, but at the very last minute. Literally. There was a deadline for filing our proposal with the Department of Energy. We had to file our proposal with the Department of Energy by noon Eastern Standard Time on whatever the date was.

Lage: What was the objection in the legislature?

Gardner: Well, they had to put up some money for it and so forth. And all this complaining going on and on. The fact of the matter is that the final legislative approval was obtained within an hour of the deadline, and I'll spare you all the machinations that went on in Sacramento to get it through. I had an open line to our guy in Washington, D.C., who was at the Department of Energy offices with the proposals in a truck waiting to hear if he could submit or not.

Lage: A truckful of proposals?

Gardner: A truckful of proposals, ready to walk them in and officially log them in before noon of that day, the deadline. I called him I think at eleven-thirty-five a.m. We had kept an open line, I had an open line to Sacramento. I just sat in my office, waiting. We finally got word and then authorized the submission, and we were the last state to file, within 30 minutes of the deadline. The eastern press made quite an issue of California's seemingly grudging submission. Honestly. That reflected some of the dysfunctions in Sacramento. There was an attitude, "Well, we've got all the talent here, and if they want it, they ought to come here anyway, so why should we make an effort?" That was the attitude.

Lage: Maybe they were used to getting all the defense industry at that point.

Gardner: They were used to getting it. They were all pretty soft. They weren't used to competing, like we were, actually.

Lage: But Texas, the up and coming--

Gardner: Oh, they moved. And so did the other places.

Lage: Of course, the whole thing fell apart.

Gardner: Yes, for a lot of reasons that none of us could fully anticipate at that time, although we supported it, as I noted.

Lage: So as you say, it's probably just as well.

Gardner: It's just as well.

Lage: But it's an interesting tale, and it does reflect something about California.

Gardner: It does. Sadly.

Managing the National Laboratories

Lage: There's another federal issue.

Gardner: The labs?

Lage: The labs. That's a big issue, and a pretty interesting one.

Gardner: Yes.

Well, you know I'm not a scientist. Dave Saxon was a scientist, so he really understood the work of these labs much better than I did. And I talked with him about it. Dave was supportive of our managing these laboratories.

We had gotten into this business as a result of the Manhattan Project during World War II when a number of University of California professors were involved in the development of the atomic bomb--Seaborg, Oppenheimer, Lawrence, et cetera. We had had contracts for over fifty years with various agencies of the federal government--Atomic Energy Commission, Department of Energy, and maybe some others, I can't remember. The management of these labs by UC was not at our initiative. It was always at the request of the federal government that these labs were managed by us.

What do I mean by managed? Let me get that clear. The labs are all funded entirely by the federal government. There is no university money in them. Secondly, the University of California has nothing to say about the budget for those labs. In my view, quite properly, because it goes to the strategic defense and security issues of the United States. I don't think we should have been institutionally involved in that.

Third, all of the persons working at the labs are University of California employees, and the director reported to the president of the university, but the budget came from the federal government. The facilities of these laboratories are not owned by the University of California, they're owned by the federal government. So we have a management contract in the most limited sense of the term. I want to make that clear going in.

The first lab was at the old rad lab, radiation lab, up on the hill in Berkeley, then Los Alamos, and then Livermore. When I came, we were managing three national laboratories with combined budgets of about \$2.5 billion. They were huge, complicated operations. And it is part of the job description of the president of the University of California to exert executive

authority over these labs, which nobody ever allows for in assessing the nature and character of the presidency of UC and his compensation when compared to other presidents. As though this large, complex enterprise was just something we did in our spare time! It should be noted for the record that the labs at Los Alamos and Livermore conceived, designed, and engineered the nation's nuclear weaponry and they were critical elements in the nation's military security configuration at that time.

Lage: What was the president's official capacity over them?

Gardner: The directors reported to the president. I had a line relationship to the directors of those laboratories. All of our personnel policies affected everybody working there. The agreements with the federal government in terms of our management, I had to negotiate. I mean, our people did it, but it was my responsibility.

Lage: But in terms of determining the program?

Gardner: No, we were not involved with the program. At least, the administration was not involved with the program. The people at the labs surely were, and they worked with a lot of people on the Berkeley faculty, and the San Diego and UCLA faculty, and others as well. But the administration was never involved in the programs, and we were never involved in submitting budgets to the federal government, but we did manage those laboratories.

In any event, it took an enormous amount of time.

Lage: Who did you have in charge of it?

Gardner: Bill Frazer, our academic vice president, who was a theoretical physicist himself and knew the people, knew what the work was, and could comprehend it. He spent a great deal of time at it, and he enjoyed it. I relied on him pretty heavily.

But the point I want to make is that two senior vice presidents--Ron Brady in administration and Bill Frazer in academics--and I spent a significant amount of our time dealing with laboratory issues. Whether they were political issues, or P.R. problems, or personnel problems, or demonstrations, whatever it was, we spent a lot of time on it. I thought it was a disproportionate amount of time.

Lage: To the amount of money that came from them?

Gardner: No, to the time and attention the University of California should be receiving from us. And I was pretty open about that. I would

meet with the directors on a regular basis, just as I met with the chancellors. This is a line relationship.

Lage: If you have no effect over their program, what is it that takes so much time?

Gardner: Well, the role of the University of California is not to say, "We need \$1 billion for Lawrence Livermore, or \$1.2 billion." We don't get into that. And we don't say, "You ought to fund Program A and not Program B." We don't do that. The lab director does, working directly with the Department of Energy. But I never talked with the director about that.

Our job, once the government has made the appropriation and has decided what programs to fund, was to make sure that the quality of the science was at the highest level possible and the effectiveness of the laboratory in carrying out those wishes was at a comparably high level.

Lage: So oversight of their doing what they've been paid to do.

Gardner: Yes.

Now, it's also true, of course, that the management of these labs by the University of California was the object of very considerable resentment and criticism on the part of a significant number of people, both within and outside of the University of California. Some of the problems I had as I was leaving the University of California arose because of the years of conflict I had with some people at the Berkeley campus on this issue, Professor Laura Nader, for example. The objections were that UC should not be overseeing classified research and should not be helping the country with its nuclear weaponry.

Lage: I see. Ill feelings from people who felt--

Gardner: Yes. And they resented the fact that I supported the management of these labs.

Lage: Let's go back to what you said, that you thought the time spent was disproportionate.

Gardner: Yes.

Lage: But you still supported our continuing to do it?

Gardner: Yes, and I'll tell you why. There were two reasons. One, the federal government wanted us to do this, thought no one else could do the quality of science, huge, big, organized science, as

well as the University of California. That's probably right. And the work of the labs was critical to the national security of the United States. So it's hard to say no when our government, the president, both houses of Congress, members of both political parties, asked us to perform this critical task. And the Regents were committed to it, and so were the governors I served under.

Lage: It came up every five years.

Gardner: It did, and I made the best of it, as far as I could.

Now, we had protesters at the west gate on the Berkeley campus every, I think, Wednesday or Thursday for my entire administration--perfectly peaceful, very nice people.

Lage: Having a vigil.

Gardner: Having a vigil. It was there all the time, so it would always remind you how unhappy some people were. And there would be demonstrations at Livermore. UC police were the ones who dealt with it. We were making the arrests, we were the object of the criticism, letter after letter. Every time I would visit the Academic Senate, especially at Berkeley, I would get asked about it in the most hostile of terms, and there are some faculty members at Berkeley that felt strongly about this and were as mad at me as they were at Saxon.

Lage: Although it was supported, the management of the labs won every vote, even on the campus, until the 1990s.

Gardner: Yes, it did. I'm talking about a smaller group of people, but it was still vigorously opposed, and, therefore, it had high visibility and took our time. And then we would have disagreements with the Department of Energy. I thought they were unreasonable on a lot of issues, and we would fight with them quite often. I mean, we really would.

So the first time around--I had the unfortunate experience of having two renewal fights during the course of my administration. The first one was difficult with the university community, not so difficult with the Department of Energy, but difficult with the university community. It was hard. When the Regents considered it, there were major demonstrations. Anyway, we did it.

But what happened was at that time--this was 1985, I think it was--the Department of Energy came with completely new contracts. They stacked a foot high on the table. They wanted to completely rewrite the relationship, fix us with certain

liability problems that arose from environmental degradation, fix us with other burdens, subject us to penalties, and on and on and on, just as though we were a for-profit organization. And they only paid us \$6 million a year to do this.

Ron Brady, who was my negotiator for this, not Frazer-- Frazer was the technical guy, but Brady was the negotiator--came in and put all this down, and he said, "Look at all this. This is a brand-new contract." I said, "Well, you tell them we're not going to negotiate from this new pile of documents. We're going to renew the present contract essentially in its present form. We're not going to start all over again."

Lage: Now, was this the '87 renewal?

Gardner: Yes, this was the '87, I guess it was, '86 or '87, I forget what it was.

Lage: I think the Regents voted in '85, and then the contract itself was renewed in '87.

Gardner: Yes, that's right, as I recall. It was mid-eighties, in any event. I said, "We're not going to do that, and please advise the office of the secretary of energy accordingly. I'll call the secretary if you want, but call your counterpart in the office of the secretary of the Energy Department, and advise him that we're not going to start negotiating on these documents. The point of departure is going to be the existing documents, and if they don't want to do that, they ought to get another contractor." And I meant it.

So they threw out those contracts, and we went back to the old ones, made some minor adjustments and proceeded, so that was okay.

Then the second renewal came up in 1990-92. We had been having a lot of problems, a lot of protests, and there had been some problems at the labs that didn't please me a lot either, that we had to deal with, especially at Lawrence Livermore. In the midst of all this, we had to renew our contract with the Department of Energy, and I was leaving office besides. Admiral [James] Watkins was Secretary of Energy, and fortunately we got along real well. I received word that the Department of Energy was going to put this contract out for bid. Now, we were welcome to bid if we wanted to, but Energy was going to put it out to bid.

I called Admiral Watkins, the secretary of Energy, and I said, "Is this correct?" He said, "Yes." I said, "Well, if in

your opinion the interests of the nation will be best served by putting this out to bid rather than by renewing the contract with UC, then that's what you should do. There will be no objection from us. But you need to know that if you so choose, the university will not bid on it." [laughter]

He said, "What do you mean?" I said, "Well, we have never bid on this contract. We were asked to do this by the government. We're not doing this for the money. In fact, I've held down our fee deliberately below what you're willing to pay, because I don't want to be dependent upon the fee and have that fact influence our judgment as to whether to continue to do this or not." We kept the fee down. We didn't move it up as we could have, because I wanted to be able to extricate ourselves any time we felt we couldn't any longer do this, without paying a big price financially.

I also said, "We regard our management of these laboratories as a public service to the country. We are doing it at your behest. We're not going to compete for it as though it were a business. Now, you need to know that. I can't argue here on the one hand that we're responding to the explicit request of the federal government, all administrations, both parties, every Congress for fifty years, to manage these critical laboratories for the United States, and then turn around and appear as though we're seeking to do so."

Lage: Yes, that would be very politically dicey.

Gardner: Yes. I said, "We will not be able to bid on it. And not just for political reasons, but I think we should not." Well, they decided not to put it out for bid.

Lage: Was he taken aback?

Gardner: Very much so. And I heard through Ron and some other people that they couldn't believe it. I said, "Believe it."

Lage: It makes good sense as you lay it out.

Gardner: It does. Well, they hadn't thought about it in those terms. So they decided to renew the contract with UC.

Lage: What do you think their reasoning was? Do you think they wanted to get a better deal?

Gardner: Oh, to put a little pressure on us, and I think there was some pressure from certain congressmen and senators to open it up to their districts, not just give it to us.

Lage: You don't sound as you talk about it as if you were enamored with our managing the labs. I had always had the impression that you really were a positive supporter of it.

Gardner: Well, I have to answer that at two levels. At the level of where I spent my time and the amount of time I spent on the labs, I thought it was disproportionate, as I've said, and therefore thought it was maybe something we should not be doing. But at another level, I was convinced that this work needed to be done. I have a view of the world that suggests that it's a very unfriendly place, and my own experience suggests that, and I felt this work needed to be done in the interest of the nation's freedom and our country's independence, that I would rather have our scientists doing it than federal labs doing it, because we can recruit scientists as UC scientists in our environment that the federal government couldn't recruit to their own laboratories. I also thought the quality of the work would be unsurpassed if we did it, and therefore, the nation's interest persuaded me that we should be doing it. If I weren't persuaded of that, I would have urged us to get out of it immediately, because it was a substantial drain on our energy and time without any corresponding direct benefit to the University of California. That was my view.

I may also say I respected the people who worked there. These were able people, and they were committed to the work. I got along fine with the directors, I did the best I could to acquaint myself with their work. I had a Q clearance, knew what they were doing, and was proud of the quality of the science and the commitment of the personnel. So that has nothing to do with it, either. It was just a matter of, you only have so much time, where do you spend it? And I wasn't spending as much on the university as I thought I really ought to be. But, I guess that's a small price to pay in consideration of the nation's security, which I thought we were serving. That's the way I looked at it.

Lage: And did the Regents split over this dramatically?

Gardner: Not really, no. There were a few who didn't want it, four or five.

Lage: How about political pressure from the legislature and the ex officio--

Gardner: The only political pressure I had for us not to do it was from some of the legislative leaders. They didn't want us doing it. Senator [Tom] Hayden didn't want us doing it. Assemblyman Vasconcellos didn't want us doing it.

- Lage: Did it overflow into other university issues?
- Gardner: A little. But we didn't pay a substantial price for it. I paid a price personally in terms of attitudes of certain faculty members, but I don't think the university paid a price.
- Lage: Shall we leave until the end how this affected those final years?
- Gardner: Yes.
- Lage: I want to remember that.
- Gardner: I'll put it all together.
- Lage: Good. It will probably make more sense.
- Gardner: I'll remember.
- Lage: Anything to say about choosing directors? It seems to me there was a controversy about choice of a Livermore director.
- Gardner: No, I don't think there was too much controversy there.
- Lage: Something about Star Wars advocacy--
- Gardner: Well, that came later. There was some controversy at Livermore about John Nuckolls' appointment, but at that point, there was a lot of question about whether the lab should be changing its mission.
- Lage: Away from nuclear--
- Gardner: Away from nuclear weapons and toward the peaceful uses of science, which I thought the minute we can do that, that's what we ought to do. There was a lot of conversation among the directors of all three labs about that issue, and we were talking about it.
- That was another thing I should have mentioned, that I thought, Well, in the long run, these labs will have a much broader portfolio than they have historically, and we'll probably be glad we have them. That was another thing that kind of justified in my own mind why we were doing it.
- Lage: Lawrence Berkeley Lab didn't do classified research, or doesn't.
- Gardner: No, it does not do classified work. Livermore and Los Alamos do, but Berkeley does not.

Lage: LBL wasn't as controversial, was it?

Gardner: No. But the trouble was, our contract was to manage three labs.

Lage: I see. You would lose all three.

Gardner: I asked faculty members who were criticizing, "Well, do you want to lose Lawrence Berkeley?" "Oh, well, they wouldn't do that." I said, "The hell they wouldn't." So there's a lot of other factors. These are just what come to mind.

One other thing on that. There were some difficulties with the appointment of John Nuckolls, because he was very much in the weapons area, and a leader in that and highly respected. The criticism was not so much of John as his own set of experiences when some people thought we ought to be moving to a different format of interest. But I didn't feel that way about it.

Lage: Is he chosen as the chancellor is, with a search committee?

Gardner: Yes, there is a search committee. There are no students on it, no alumni and so forth, but there is a search committee, and it's composed mostly of people who are prominent in the scientific community nationally, but who are not necessarily employees of the lab, although there's one or two representatives there. These were very distinguished scientists, Nobelists and others, who would help us in the search. John got a lot of high marks. There is one difference: the secretary of Energy has to concur, so the secretary can veto it.

Lage: And you present one choice?

Gardner: Yes.

Lage: Do the Regents okay it also?

Gardner: The Regents make the appointment. It has to clear through me first, then the secretary of Energy, and then it goes to the Regents. That's how it works.

Lage: Did you consider people who had a broader scientific background?

Gardner: Oh, yes. But I think it was a unanimous recommendation of the committee that John serve there.

Now, at Los Alamos, there was an interesting appointment there, because the list that was put together for our consideration was a list of the "usual suspects", all in their fifties, sixties, been around--famous people, but they had been

around. I thought, This is the same list I saw before, i.e., at the Berkeley and Los Alamos Labs when we were searching there. We need the new generation in here. I told Bill Frazer, "You get me a list of the brightest forty-year-olds, not sixty-year-olds, that we can find for that job."

Well, Sig [Siegfried] Hecker was on this list. He was a young guy, and he was way down the chain at Los Alamos. But I liked him a lot, and so did the others who interviewed him, not just me. We pulled him up out of the organization and proposed to recommend him.

I remember calling Secretary [John S.] Herrington, who was secretary of Energy, when we decided we wanted to go with Sig, and he said, "Sig Hecker? Who's Sig Hecker? He wasn't on my list." He gave me a list, along with others. I said, "No, he's not on your list. We took account of your list and so forth and so on, but this is who we're going to recommend to you."

Well, he wasn't real happy. He really was not happy. These are major appointments. The lab is the largest employer in New Mexico, for example. So he's on the pan too, and I understood that. He finally said, "Well, okay. You send him back here, and I'll arrange for our people and myself to meet him." So we did.

I got a call late the night Sig was in D.C.--it was three or four days later--Secretary Herrington said, "I don't know where you found this guy, but he has a green light from us."

Lage: Wonderful.

Gardner: And he's been terrific at the lab, and he's a real force in our national defense policy and so forth. That was a good appointment.

Lage: Very good. The management fee was not consequential, from what you say?

Gardner: No.

Lage: And where did it go? Was it split with the state, similar to overhead grant charges?

Gardner: Yes. Never a factor for me. It would have been a factor only if it was excessive. Like if they said, "We'll give you \$50 million to do it," I wouldn't have taken it.

Lage: So you weren't money-grubbing.

Gardner: No, I didn't want that. Because you know, you get that money, and you commit it to certain purposes and all those vested interests, and then you can't extricate yourself with the same ease that I thought we should have available to us.

Lage: Where did the university portion of the money go?

Gardner: It went into the nuclear science fund, and we used it to seed research around the University of California, basically.

Lage: Research in nuclear science?

Gardner: No, any sciences. And we used it to build some facilities and to buy equipment for faculty members we were recruiting in chemistry and the life sciences and physics and so forth.

Lage: Did it get allocated to the campuses?

Gardner: No, I held on to most of it until it is allocated to the campuses for specific purposes. They got most of the other overhead, so I held on to the nuclear science monies. The Regents had to approve that, by their policies.

Lage: Approve disbursal of those funds?

Gardner: Yes. So we would use it for targets of opportunity, recruiting, or keeping people here, or moving into a new area of science, or finishing off a building, seismic work on critical buildings, or whatever. Made good use of it.

Lage: Okay. Anything else to say about the labs?

Gardner: Not really.

Lage: I think we should stop there for today, and we'll go to divestment next time.

Gardner: Oh, yes, that will be interesting.

Divestment in South Africa

[Interview 8: November 30, 1995] ##

Background

Lage: Today we're going to cover the topic of divestment. Should we start by saying what you inherited when you came to the board? Hadn't this come up before?

Gardner: I believe it had come up in the mid to late 1970s, but I must say, I have no working knowledge of what occurred, and it did not capture the board's sustained interest, nor the public's continuing interest, at that time in ways that it did in 1985 and '86. So to the extent that it had been an issue earlier, there was not a substantive spillover to the debate in 1985 and '86.

Lage: It was more or less a new issue then that was coming up.

Gardner: Yes, right.

The Issue Is Raised, 1985

Lage: How did it initially get raised in '85?

Gardner: My recollection is that it arose at a board meeting, I think in January of 1985, and it was raised by Fred Gaines, who was then a student regent from UCLA. He raised it at the Regents' meeting; I did not raise it. The board chose to consider the issue after a very considerable debate and did so without my encouragement, although I do not recall having made a strenuous objection. And it was not a matter about which I had thought very much, frankly. It was an early stage alert, as it were, to what was to sweep across the country in '85 and '86.

Regent Gaines raised this issue because, in his view, the university should divest, and he undertook to push that view pretty strongly over the next eighteen months.

Lage: If he hadn't raised it, would someone else have?

Gardner: I think it would have come up eventually, because it was capturing the interest and attention of Regents and trustees of universities and colleges all around the country. I wouldn't say

we were on the front end, but we were near the front end. Thus, this issue would have arisen sometime. I think Regent Brown, speaker of the state assembly, would have raised it at some later date if Regent Gaines had not. In any event, I think there was no avoiding the issue, as things developed, although at the time it was raised, I wasn't aware that it was going to be as consequential an issue in the country or in the university as it turned out to be.

As the discussion ensued, it was clear that some regents thought we should take it up and other regents thought we should not take it up. They were not really of one mind on it. Inevitably, I was asked for my views. I said, "Well, it's a matter of how you want the administration to spend its time the next several months, or year, or two. Because if we take this issue up, I can assure the board that it will absorb a very significant part of the time of the university's president, his officers, and the chancellors and their officers on the respective campuses."

Lage: And the Regents.

Gardner: And the Regents' time, eventually. I said, "You can count on that. So if you think this issue rises to that level of consequence and deserves that level of priority, then you should take it up. But you need to know that's what's going to happen." Some of them just thought I was trying to divert the issue, and so forth, but I was simply telling them the truth of it, and that's, of course, what happened. I don't recall whether they voted to consider it, or I just agreed to put it on for their consideration, but in any event--

Lage: I think they asked for a report.

Gardner: They may have asked for a report. Whether it was one they asked for formally or whether I simply agreed to do it, I don't recall, and it doesn't make much difference. In any event, we agreed to put this issue on the agenda for future discussion.

Timeline: An Overview

Gardner: Well, it's a little hazy for me as to what occurred in 1985 and what occurred in 1986, frankly, but--

Lage: I may be able to straighten some of it out.

Gardner: Maybe you can. It's been so long.

Lage: Should I review some of the dates we have down?

Gardner: Yes, would you do that? Then it would help me.

Lage: First of all, there was a forum at Berkeley that thirteen of the regents attended. That was in April of '85.

Gardner: Yes, and I can talk about that if you would like.

Lage: Then in May of '85, there was a public meeting, and there was also an Assembly Ways and Means subcommittee meeting. In June, there were public hearings that the Regents held, one at UCLA and one in the north. Then June 19 was the treasurer's report, and then the vote June 21.

Gardner: Where was that? UC San Francisco?

Lage: I think that was UC San Francisco. There was a meeting at Lawrence Hall.

Gardner: That was in May of '85.

Lage: Yes, it was May or June.

Gardner: All right, that reminds me, then. I can talk about that spring, now.

Spring 1985

Lage: That spring was very active, it seems.

Gardner: That was a very difficult spring. In fact, the Regents had invited a report on the matter, as I now recall. That Regent Gaines had raised the issue and that other regents were interested in it tended to trigger a series of activities in the winter and spring of 1985 that were both time consuming and politically charged and difficult to deal with. It was difficult to deal with in Sacramento in the spring, because a number of legislators were committed to securing legislation that would require the divestment of any securities held by the University of California in companies doing business in South Africa, and to apply that to other parts of state government as well: all state government, the state retirement system, and so forth. So this was actively under discussion in Sacramento.

It was also actively under discussion on almost all campuses, particularly at Berkeley, Santa Cruz, Santa Barbara, and UCLA, where there were strong expressions of interest in securing divestment of such securities by the Regents. There were protests of a fairly active kind--I don't mean violent, although there was some of that, but generally not--on most of the campuses throughout the spring of 1985, including at the president's office and home.

Lage: Which was by the Berkeley campus.

Gardner: My office was adjacent to the Berkeley campus. We had a lot of problems at that point.

Lage: Did this willingness to consider the issue trigger some of the legislative interest, or would that have happened anyway?

Gardner: That would have happened anyway. I think this was an issue that was not avoidable.

Lage: Just maybe the timing.

Gardner: Yes. The fact that our interest in the issue began in January meant that the period of time available to those who were seeking divestment was maximized. It would have been better as far as I'm concerned to have started it in April or May.

Lage: With the report and article.

Gardner: Yes. But as it was, it stretched out over six months, and it gave those who were seeking divestment maximum time to pursue it, which was, of course, what they wanted, but which I would not have preferred, because the outcome wouldn't have been any different, just the level of misery in getting there. It was preoccupying of our time for much of the spring of '85. It had implications for our budget hearings in Sacramento, with legislators threatening to cut our budget if we did not divest, or to hold our budget up if we did divest, or to hold our building program up if we did not divest, or cut it if we did divest. Those were explicit threats.

Lage: Were they made publicly?

Gardner: No, they were private.

Lage: Would you talk more about that?

Gardner: Well, as is typical of any budget discussions, any number of issues are always involved. And as I would meet with key

legislators, chairs of the relevant committees or the cognizant committees that were considering our budget, other committees of the legislature having a capacity to help or hurt us, those were committees controlled, by and large, by liberal Democrats who favored divestment. Whenever I went into the office of a senator or an assemblyperson, this was always the issue that was raised. I was told that we ought to get with the program.

Lage: How did you handle that?

Gardner: I indicated to them that this was a matter that was under active discussion by the board; I could not predict the outcome, which was true; I did not know how the board was going to shake out on this. I wasn't even confident in the early months of my own view on this issue. I was studying it, becoming acquainted with it, talking with various people, and so forth. They said, "That's okay," they weren't pressing us to make an immediate decision; they simply wanted the decision to be a correct one, as they saw it. [laughter] So it was a real complication for our budget.

On the other side, however, there were conservative Republicans who were adamantly opposed to divestment. They made it clear to me, in contrast to the more liberal members of the legislature, that our budget would be damaged if we did divest.

Lage: You couldn't win.

Gardner: No. They made it clear that if we chose to divest, it would be very hurtful. They reminded me it took two-thirds of the legislature to get a budget enacted, and that they (the conservatives) had control of more than a third of the legislature. Well, I'll put it this way: we were informed in a fairly straightforward way as to the position of the respective parties, and one could not be satisfied without offending the other, and each party had the capacity to hurt us. I'll put it that way.

Lage: All of this without naming a name! [laughs]

Gardner: Well, it was not just one person.

There was a legislative hearing in Sacramento on this issue in the spring, which I'll get to later. As the spring went on, I resolved in my own mind that for the board to divest would constitute a collective action by the Regents that offended if not the letter then at least the spirit of the state constitution, which provided that the Regents should keep the university entirely free from political and sectarian influence in the conduct of its internal affairs. In my opinion, such an

action was clearly a political statement having financial implications not only for the university's budget, but also for the yield on its investments, which were overwhelmingly pension funds for the benefit of all of our employees and endowment funds that benefitted our faculty and students. Moreover, these were trust funds for which the Regents had a fiduciary duty under the law.

Lage: It seems like there were two different considerations there, the fiduciary and the political.

Gardner: I thought the fiduciary duty was the more salient consideration, because the Regents are under a statutory and a constitutional mandate to exercise fiduciary duty over the assets of the institution. And here we were being asked to make a political statement using someone else's money to do it. Moreover, I thought that it offended the spirit of the constitution, which required us to maintain ourselves free of political influence of that very kind. After all, we didn't buy securities because they were companies doing business in South Africa. Of the companies that we held doing business in South Africa, their business in South Africa was never more than one percent of their total revenues. After all, we didn't buy the companies for that reason, which to me would have been just as wrong. Therefore, it seemed to me we ought not to sell for that reason. And to suggest this was not a political issue was to defy reason; it was a political issue.

Lage: Particularly with the experience you had.

Gardner: Yes, exactly. So it seemed to me that divestment was something we shouldn't do. As the spring went on, I made my views clear. Not in terms of calling a press conference or issuing a press release or announcing it, but just in private conversations, it became known that I was not disposed to vote affirmatively on such a proposal and, indeed, would vote no if it were put to the test.

Assembly Subcommittee Hearing, May 1985

Gardner: The result was more insistent pressure from Sacramento, and there was a legislative hearing convened, I believe in May, to obtain my views.

Lage: That was the announced purpose?

Gardner: That was the purpose, yes. I was told that if I were unwilling to come, they would subpoena me. I said, "You don't have to subpoena me; I'm happy to come."

Lage: Who was the chair of that? It was a subcommittee on education.

Gardner: It was Assemblyman Bob Campbell from Richmond, who chaired the Assembly Higher Education Subcommittee on our budget in the state assembly. So his committee was the one that did the work on our budget.

Lage: I see. So you must have had a relationship with him over the years.

Gardner: Oh, yes, of course. And his views on this were made clear to me, but in a personable, not a hostile way. We got along fine. But it was his hearing. I expressed some apprehension about the format: Who was going to be there? Who was going to chair the meeting? Was Bob going to run the meeting, or would the speaker take over? How much authority did he intend to exert over members of the legislative committee who were participating? I thought these issues were important, I thought the university ought not to be just made a mockery of or embarrassed. If they wanted a straightforward discussion on the issue, that's fine. I was hoping that the environment would be one that upheld the decorum of the legislature as well as the university's. He assured me that that would be the case.

When I arrived in Sacramento, the room was filled to overflowing. People were spilling out into the corridors. Every seat was taken. It was the largest hearing room available. Several legislators were in the audience. Many of them were invited, asked if they could participate with the committee in asking questions of me and so forth. Jane Fonda, the actress, came up from Los Angeles to hear this. She then was married to Tom Hayden, as you recall. So it was an interesting group, and highly charged. National media were present, as well as those from California. One sensed that there was more than ordinary interest in this matter.

Lage: They were putting so much pressure on you, when it was the Regents' decision.

Gardner: Yes, on me personally. Well, they thought that I had a lot of influence on the board, which was true, so they tended to focus on me. And I was the president, so that's fair enough.

I went in and indicated what my views on this matter were, and that the issue was one not for me to settle but for the

Regents, but this was where I was as of May, whatever that date was--

Lage: May 14.

Gardner: Yes, 1985, and there it was.

Speaker Brown came in and for all practical purposes took over the hearing, Bob Campbell notwithstanding. He took over the hearing. We had some very sharp exchanges. I recall at one point he said, "What would you know about prejudice?" And so forth.

I said, "I'm not altogether unacquainted with it, Mr. Speaker. For reasons of religious prejudice, the bones of many of my ancestors are strewn across the Great Plains, having been driven out of their homes by mobs in the Middle West and having settled in the desert regions of the western United States in the nineteenth century. I know something about it from my family's history, and I know that such prejudice exists even today." And I almost said, "Do you recall the conversation we had in your office not too long ago?" (referring to his requiring my visit with the minority caucus following my appointment and for reasons that were related solely to my religious beliefs) but I didn't.

He regarded my reasons as unsatisfactory and suggested that while I could always change my religious beliefs and, thus, avoid discrimination, he could not change the color of his skin. "There were no Utahs for people like me," he said. I did not respond to this comment as the conversation was becoming overly personal and harbored the making of a very nasty trend in the hearing. I thought, however, but did not say aloud, that the speaker must think one's religious beliefs meant nothing more than to decide which color suit to put on in the morning. I was astonished, but chose to remain silent for my response would have put him in a corner and I thought it was not a good idea in the long run to do it. So, I just swallowed my words and let it go, although it was a deeply offensive comment, at least to me.

I have an account of this hearing by Bill Pickens, who was attending in his capacity as deputy director of the California Postsecondary Education Coordinating Commission. [See Appendix for Pickens' account of this hearing.]

But I did stand up to the speaker, and we had some very sharp exchanges.

Lage: Was he personally--

Gardner: He was not overly rude, no, he was not overly rude to me personally, except for the example I just gave you, which I thought was neither necessary nor appropriate. But other than that, I would say the hearing went okay. We had a sharp exchange of views; I stated my position as best I could; the legislature, at least the Democrats who were a substantial majority on this committee, made their views crystal-clear as to their expectations of the Regents, and some Republican members of the committee did the same.

Lage: Were there any public statements on their part?

Gardner: Oh, yes.

Lage: That the budget would be imperiled in any way?

Gardner: No, no, none of that. No, that wouldn't have been well received by the public, so they didn't say anything. It was all on the issue. I would say that it went okay, but it was a very tough session.

The headlines in the paper the next day were, "Speaker Brown and UC Chief," or something like that--you can check it, either *San Francisco Chronicle* or *San Francisco Examiner*, I forget which ran this--"Speaker Brown and UC Chief in Chilly Standoff." That was the headline, or nearly so.

Lage: Would you describe it as chilly?

Gardner: Well, I didn't think it was chilly. I thought it was quite warm! But it was certainly a vigorous difference.

Lage: But you got to know Willie Brown--

Gardner: Well, I'll come to that. I didn't know him all that well at that point. And I did take him on in the hearing. Not in any personal way, but I responded to his comments and I asserted my own position. So the newspaper reported this as a big deal between the university president and the speaker. A number of chancellors and some regents came up to me later and said, "You know, you really shouldn't have taken on Speaker Brown. He's going to get his pound of flesh from you, and it's going to cost us," and so forth. I said, "Well, that may be, but it is a price we have to pay."

What I had in mind was what Charlie Hitch told me years ago when he received a call from Sacramento indicating that \$10 million had been taken out of the university's budget because we were unwilling to admit the son of a prominent constituent into

medical school at UC San Francisco. Do you recall I mentioned that?

Lage: Yes.

Gardner: He told me then, "Well, we just lost \$10 million in the state budget because we didn't admit so-and-so to medical school at UCSF; he is the son of a prominent San Franciscan. Thus, we had \$10 million taken out of our budget by a powerful legislator. That's the price we have to pay to secure the university's independence. Always remember that." That's what he told me. So I did remember it in the hearings to which I have been making reference; and I remembered it in responding to the chancellors and the regents who were somewhat critical of me for the way in which I had undertaken to deal with the divestment issue at the hearing. I said, "Well, it may be that we'll pay a price, but there's a price to be paid in any event."

I also remembered another discussion I had had earlier with the provost of the American University of Beirut in 1979, when we were attending a conference in Bellagio, Italy, at the Rockefeller Center there. We were talking at dinner one night, and Lebanon was having some problems at that point. I said, "Tell me about the kind of problems you have there." He smiled and said, "Not long ago, the leaders of the political left in Beirut came in and told the president and me that they wanted the American University of Beirut closed, that it was an outpost of capitalism and American imperialism in Lebanon, and they didn't want it there any more and they wanted us to close it; and they said if we didn't close it, they were going to kill us. The political right heard about this threat and came to see us two or three days later. They made it clear how essential it was to keep the American University of Beirut open, and if we didn't keep it open, they would kill us."

I said, "What did you do?" "Well," he said, "We met and decided that if we were going to get killed, we would rather get killed fighting to keep the university open than fighting to close it." So I had that story in mind as well.

What I am trying to get across is that there's a price to be paid regardless of the position I took. Both sides to the divestment controversy could hurt us badly. Therefore, it seemed to me that we should do what we thought was right and accept the cost of doing so, whatever it turned out to be.

The Issue Itself

Lage: People that you respected, I'm sure, were on the other side from you.

Gardner: Of course. In fact, many people I respected were on the other side, as well as people with whom I was in agreement.

Lage: How was their thinking different about it? Were they more passionate about South Africa, or did they see the issue for the university differently?

Gardner: There were a variety of reactions. Some thought that on principle, ideologically, that divestment was the proper course of action, that we should take account of the apartheid regime in South Africa, that we ought not to be an implicit partner with any company doing business there. In their opinion, the political implications of it for the university and so forth were issues that should be subordinated to the larger issue of apartheid in South Africa, and that I was quibbling to be raising the points I was.

I said, "Well, if the principles upon which you rest your arguments go to questions of human rights and state-sponsored discrimination, what about the countries in which companies whose securities we hold are also doing business, such as several in the Middle East where women are systematically discriminated against, or other countries of the world which discriminate against their citizens on religious grounds, or on racial grounds, or on political grounds? If you are arguing on principle, you can't just choose one country, as offensive as apartheid is, and pick it out of all the others simply because it's the politically correct issue for the day, without taking account of the principle in a broader sense."

The response was, "Well, that is the issue of the day, and that's why we're pushing it."

Then there were those who thought in more pragmatic and supposedly less principled terms. They argued, it's not a big deal to divest several hundred million dollars (actually it was close to \$3 billion) in companies doing business in South Africa. UC can just invest in some companies that don't invest there-- putting aside the transactional costs of divestment which the treasurer estimated at about \$150 million and other losses owing to our turning over such a significant part of our portfolio. They thought we would pay a bigger price in Sacramento and in

public opinion if we didn't divest than if we did, and, therefore, we ought to divest. A very practical approach.

Then on the other side, you had people who were of the opinion that we ought not to be in the position of making moral judgments about these matters collectively, that is as a university in its corporate sense. They believed that people should be free to make those decisions as individuals, but the university ought not to be setting itself up as the arbiter of these issues, not to speak of using its fiduciary trusteeship to make political statements using someone else's money. So they were on the other side.

Then there were the more practical people who said, "Well, for everyone who will be made happy by UC divesting, there will be others who will be offended. Therefore, from a practical standpoint, why should we incur these expenses? It's not advisable, the Regents would be running the risk of breaking their fiduciary duty, the board would be violating its constitutional duties, and we shouldn't do it." So you had every range.

Then you had people who were tied in to the governor, George Deukmejian, who at that point thought we ought not to divest, and others who were tied in with Speaker Brown who thought we should divest.

Lage: This is on the Regents?

Gardner: These are on the Regents. You have all these personal connections, you have all these interactions among people.

Lage: It wasn't a simple two-sided issue.

Gardner: No, it was not that simple. Then you had Lieutenant Governor [Leo] McCarthy, he's an elected official; you had the governor, an elected official; Speaker Brown, elected official; state superintendent of public instruction, elected official; all serving as regents, all taking account of their own constituencies. It was a very complicated matter, if I may say so.

Lage: It's fascinating. [laughter]

Public Hearings, UCLA and Lawrence Hall of Science, Berkeley

Gardner: This issue began to heat up in the spring of 1985. I recall a meeting we had at UCLA, a public hearing, which was exceptionally difficult. We had a large crowd outside. The mood of the crowd was ugly. Most of them were not students. We knew who most of them were: they were people who show up at all protests in L.A. It got quite nasty. We had to have the police there to help keep it in bounds. Chuck Young did a good job of going out, moving around, trying to keep it calm, and he almost got hit a few times himself.

We had a very orderly public hearing on this issue inside Royce Hall where the meeting was held. It was not disrupted. It was a very interesting hearing, actually, because we heard from people who really believed what they were saying, as well as those who were playing to the galleries. Chief Buthelezi from South Africa, who was chief of the Zulu tribe, Zulu Nation, was there and was opposing divestment. He and Speaker Brown got into a very interesting and fairly acerbic exchange of views. No love lost there, I think. That was one of two major public hearings. The other one was up at--was it UC San Francisco?

Lage: Originally, there was one scheduled for Lawrence Hall.

Gardner: Yes, we met at Lawrence Hall on the Berkeley campus.

Lage: The site was criticized because it wasn't as accessible as it would have been in the central campus.

Gardner: That was in May, wasn't it?

Lage: I think so. And then June 19 meeting--

Gardner: Was the action at UC San Francisco.

Okay, we had the UCLA meeting, then in May we had the meeting at Lawrence Hall of Science. The meeting at Berkeley had been scheduled a year earlier before the issue of divestment ever arose. When I came into office in 1983, the Regents were not holding meetings on the university's campuses. I thought they should do so. Thus, for our Regents' meetings in '84-'85 and '85-'86, we scheduled not only regential visits to several campuses but also meetings of the board on campuses. The Berkeley meeting had been scheduled in May of 1985. As things turned out, May was nearly at the height of all of the political activity around divestment.

We could have held the meeting at University Hall, but it was not large enough to accommodate any significant number of the public, staff, faculty or student body. Thus, we would have been criticized for having it in a room where only a handful of people from the public could attend. That was one option. We decided against University Hall, however, because of its size and the fact that it technically was not on the Berkeley campus, and we were scheduled to meet on the Berkeley campus. University Hall was then occupied by the Office of the President.

Lage: Right.

Gardner: Well, then, where would we meet on the Berkeley campus? We could meet in the Alumni House, but it wasn't large enough. About the only place one could meet on the Berkeley campus would have been Zellerbach Auditorium or Wheeler Hall, buildings that were at the center of the campus; and you can imagine what that scene would have been. We would have had a very tough time getting regents in and out of the meetings, not to speak of everyone else who was involved, e.g. the press, the staff, officers of the university, the public, and so forth. The city of Berkeley police had made it very clear that they were not going to be helpful in connection with any protest involving divestment. They made that crystal-clear: they would not show up to help us under such circumstances whatever their legal duty to do so.

Lage: Did that come from higher up?

Gardner: Yes. The city of Berkeley was sympathetic to divestment. I mean, the mayor was, and others. They wanted us to divest, and they in effect said, "Look, you have protests or problems regarding divestment, we're not going to be there to help you." And I did not want to call in the Alameda County Sheriff or highway patrol. That was another consideration. We didn't have a police force large enough to deal with the numbers we anticipated having to work with, and I didn't want to bring large numbers of UC police from other campuses, which were also having problems. That was a practical reality we had to allow for. We were not confident we could secure the situation around Zellerbach Auditorium. It seats 1,000-and-some people.

Where else are you going to have it? You had Wheeler Auditorium; same problem as at Zellerbach. We decided to have it at the Lawrence Hall of Science, which is on the Berkeley campus, although at the east periphery. All the roads leading into the Hall were city of Oakland roads, not city of Berkeley roads. So the Oakland Police Department would have responsibility for keeping the roads open, not the city of Berkeley. And we knew that the building itself could be more easily secured than the

buildings in the center of the campus. Oakland was very willing to meet its duty even though Berkeley was not.

Lage: That's interesting.

Gardner: Yes. So we believed, under these circumstances, we could get in and out of there, hold our meeting, and maintain order. Whereas we had no such assurance if we were on lower campus.

Lage: So that's the reason for the Lawrence Hall site.

Gardner: Those were some of the reasons. We also thought the campus would be less disrupted if we met at the Lawrence Hall than if we met in the heart of the campus. If we had met in the heart of the campus, the whole campus would have been disrupted.

Lage: Did you work with Mike Heyman on this?

Gardner: Oh, sure, we worked with Mike. Mike very much favored it at Lawrence Hall of Science. I agreed with him. We were criticized for it, but I would rather have been criticized for that than have to deal with the consequences of having met in the middle of the Berkeley campus at the height of this dispute.

Lage: Were people kept from coming up to Lawrence Hall?

Gardner: Not at all. People were not kept away at all. In fact, the large open area, the plaza in front of it, was full of protestors the two days of the meeting. The estimate was 3,000, 3,500 people there, many students. Large numbers were not students; they had come from San Francisco, they had come from Los Angeles. We knew who many of them were. They would come from all over; and it was a very difficult scene.

Lage: Now, when you say "we knew who they were," what do you mean?

Gardner: Well, there were members of various political organizations from around the state.

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Gardner: The Spartacist League group, the Young Socialists Alliance, other groups. We knew who most of them were.

Lage: They show up at the demonstrations for various issues.

Gardner: Yes. We knew they were going to show up, we knew who, by and large, was going to be there, and therefore, we were in a position to allow for it. No one was kept away. There was a

significant number of students in the room itself, during the board meeting, and they were orderly. They were not a problem.

Lage: How did they get in the room?

Gardner: Well, the public was allowed in.

Lage: Just first come, first serve?

Gardner: We gave preference to students, if I recall, which I thought we should, and then some general public seating. It was orderly; we had an orderly meeting. We had a very good meeting; I thought it was a good meeting. But it was difficult outside. Regent Martinez was chair of the board that year, so she was chairing the meeting.

[laughs] And I'll never forget, Mike Heyman came in maybe an hour and a half before the board was going to conclude its meetings, and he knelt down between Vilma and me and said, "It's getting very difficult out front, and we're not sure how much longer we can contain the crowd. It could become not only difficult but dangerous." Now, this was an environment that was heavily charged, and in addition to those who sincerely wished to protest, there were others looking for opportunities to cause difficulty, whether over the issue of divestment or something else. Whatever worked for them, in other words. If they could have created a major problem, they would have welcomed the opportunity to do so with all the press, television and so forth, recording it all. I thought half the world's press was at the meeting, or outside, as the case may be.

Mike said, "How long are you going to be?" Regent Martinez said, "Probably an hour and a half," something like that. He said, "We really need to conclude it before then. We're not confident we can hold the situation out front." And I began to think of ways to speed the meeting up somehow.

Regent Martinez wasn't thinking that way, however. She turned and looked at the chancellor and said, "Chancellor Heyman, if it takes the 82nd Airborne Division to maintain order for this meeting, that's what we're going to do. This is a regularly scheduled meeting of the Board of Regents of the University of California, we're here doing the public's business, and we're going to meet here as long as it takes to do our job. It's your job to control it outside." [laughter]

"Yes, ma'am," he said, and got up and left.

Lage: And how did it go?

Gardner: We barely got through it. It was very difficult indeed. So difficult, in fact, that when we finished the meeting, it was really not safe to allow the governor contact with the crowd out front.

Lage: This was mainly just informational, public testimony?

Gardner: Well, yes.

Lage: It wasn't a vote?

Gardner: No, but there was a debate going on. The regents were divided on this issue.

Lage: And they were expressing their own views.

Gardner: Yes, and there were a lot of feelings about it at this point, because it had been building up on them. They knew they were going to have to meet in June to make a decision.

We had to get the governor out by helicopter off the roof.

Lage: Oh, my goodness.

Gardner: Yes, we did, and that was another reason that we held it up there, because we thought if we really had trouble, we would have to get some of the key people off by helicopter. And the way it worked out, that's exactly what we had to do. We could not have done that at the center of campus.

Lage: Willie Brown must have been there.

Gardner: Willie was there.

Lage: How did he react to the kind of threatening circumstances?

Gardner: He's used to it, so it was interesting. He would have agreed with Vilma. He doesn't like being interrupted, and he's quite right on that, and I think quite forthright about it as well.

In any event, the rest of us got out by van, with the--have you ever seen 3,000 angry people, angry at you?

Lage: Well, no.

Gardner: Yes. All in one place. We got out with the Oakland Police Department's motorcycle wedge dividing the crowd and getting us out. That's how we got out, all in vans, all the regents, staff, so forth. I was sitting next to Willie Brown as we were leaving.

We got in the same van. I was sitting next to him. We were in the last van. The crowd was by then pressing back in, pushing the van, pounding the hood and windows, shouting at and cursing us. I said, "Well, Willie, here are the people who favor your views." Kind of joking with him.

He said, "I don't know who these people are! They're crazy!" [laughter]

Lage: I read a newspaper account that had criticized your holding the meeting at Lawrence Hall.

Gardner: Yes, that's right.

Lage: I wonder if Brown was glad at the end.

Gardner: Oh, Willie never criticized us at all. He knew what was going on. And in retrospect, we made exactly the right decision to hold it at the Lawrence Hall, no question about it at all. I would much prefer to take criticism for having held it there than deal with the realities of having held it on campus in Wheeler Auditorium or Zellerbach; and anyone who doesn't think so must not have been there or cares nothing for the people who would very likely have been injured under less secure conditions.

Lage: Do these public hearings change regents' minds, did you observe, at all?

Gardner: I think for the people who are not ideologically committed on either side, they are quite open-minded about the issue and probably influenced by the hearings--both ways.

The April Forum

Gardner: There are two other incidents I should mention. Some time that spring, there was a large rally held in the Harmon Gymnasium on the Berkeley campus, and it was sponsored by whatever group was advocating UC divestment. I forget what group it was. They extended a formal invitation to the Regents to attend, never dreaming they would come.

Lage: This must have been the April Forum.

Gardner: I think it was the April Forum. I called several members of the board, I asked Brady and Bill Frazer to call the rest, urging them to accept this invitation and to come to the student

meeting, really a rally, because we shouldn't appear to be indifferent to this issue or their concerns. I thought our presence would have a favorable impact on the students--not necessarily the people planning the rally, who probably didn't want us there, but the average student who went to find out what was going on. I thought it was important for us to take note of their concerns, their feelings, and acknowledge it by our being there. So roughly half the board came.

Lage: Was this a discussion-oriented meeting?

Gardner: Oh, no, it was a rally.

Lage: A rally--speeches--

Gardner: You know, what you would have expected? But we were there, and we were acknowledged, and we were on the front row. Lieutenant Governor McCarthy was late, so I held a seat next to me for him so he wouldn't have to look around for a seat when he came in. Just before he came in, the students started stomping their feet in the bleachers, and you know how Harmon Gym is, it's like a big barn. It sounded like the roof was coming down.

Just as that was happening, in walked Lieutenant Governor McCarthy. I waved him over and said, "Here's your chair, Leo." He said, "What's going on?" He was clearly disquieted by the noise, etc. I said, "Leo, you need to relax. You've got to think about this as though it were a basketball game." We both laughed.

It was an orderly meeting, there was no problem at all. They did what they said they were going to do. Some of them invited the regents to offer their comments, by name, and some of the regents were willing to comment. Regent Wada stood up, indicated that he favored divestment, and there was great applause and cheering. Another regent stood up and indicated why he opposed divestment, and he was almost shouted down.

Then I'll never forget, Jack Henning, who was head of the AFL-CIO for the state, and a very fine regent, wonderful person, good friend of the university's and a great help to us, still is. He was then asked to comment. This was right after the regent who had been booed down. He got up and indicated why he favored divestment--and he's quite an orator, did quite a job of it--to the great cheers and resounding applause of the audience.

Then when they finished applauding him, he said, "You're applauding me, but you booed my fellow regent merely because he disagreed with you. Now, this is a university where all ideas

should be freely exchanged. We are here as your guests. You invited us, we came, and you should not treat your guests like that. We were invited with the understanding that there would be a respectful exchange of views. That was the understanding, those were the ground rules. In my business--labor unions--once we have an agreement, we live by the rules. We don't break them." And he really lectured and criticized them.

Lage: How did they accept that?

Gardner: Pretty well. I was very glad he did, because it was an important lesson for them.

Lage: He was probably an effective person to make those points.

Gardner: Very effective. He was far and away the most effective person to do it.

Gardner's Views: Clear by May

Gardner: One other thing: I had a request from, oh, I think fifteen, twenty members of the Berkeley faculty to meet with them and share my views on divestment. This was in May, and by that time, I really knew where I was headed, and why. Whereas even at the Forum, I wasn't completely sure of my views.

Lage: So it did take you a while to sort through the issue.

Gardner: Yes, I was learning a lot about it. It was not something I had spent a lot of time on prior to this. And I'm a person who, I'm very careful and I'm very thorough and I'm very analytical, but once I make my mind up, I move. But up until then, I reserve my discretion. So up until May, I was reserving my discretion. When I was asked to address the Forum in April, I was not confident of my views, really, and some students thought I was just equivocating, but I really wasn't. But by May, I was clear about my position.

Lage: You did speak at the Forum, but you didn't take a stand?

Gardner: Yes, that's right. But by May, I was clear in my own mind and why.

I agreed to meet with the faculty members, and they came over. They said, "We want to know your views on divestment." I said, "I have my views on divestment well in mind as a result of

my having read, talked with people, sought what information I could, invited the help of others whose judgment I respect on both sides of this issue, and then having considered it all and having arrived at a conclusion." I went through and I described in great detail what my view was, and how I had arrived at it, and why I believed that the position I was taking was the correct one, and why what they wanted me to do was the incorrect one. I went through it in considerable detail.

Lage: We haven't gotten your views fully.

Gardner: I'll get to that.

When I finished, I was then subject to vigorous criticism and verbal attacks, and so forth.

Lage: This was a group that had one point of view, I assume?

Gardner: Oh, yes. They all favored divestment. This was a group that was going to try and persuade me to change my mind. They went after me, and I said, "Did I misunderstand the purpose for this meeting? I thought the purpose of this meeting was for you to learn of my views on divestment. That's what you asked me to share with you. I've shared my views with you. I'm not asking you to agree with them. You can disagree with me any way you would like, but those are my views."

Lage: They didn't realize that once you had made up your mind, that was it?

Gardner: They didn't know quite what to say, and then asked, "Aren't you open-minded about this?" I said, "I've at least been as open-minded about this matter as you have been. Are you open-minded about it? Did what I had to say make any sense to you whatsoever? Did it have any impact on your views when you came here today?" They said, "No, I guess we disagree," and I said, "Yes, we do," and that was the meeting.

Lage: Do you remember who was involved in that, or is it important?

Gardner: No, I don't remember. That's not important. These were mostly senior people. I knew some of them.

Lage: Who were the people who were important in influencing your view, or helping you work your way towards it?

Gardner: Other university presidents who were contending with this issue were very helpful: Derek Bok at Harvard and Harold Shapiro at Michigan; Chancellor Heyman, whose views were not the same as

mine, but whose opinions I respected; Chancellor Young; the governor; several legislators with whom I met on the matter and regents with whom I discussed it by way of example. I did meet with students; I met with the student body presidents on this issue, discussed it at length with them on several occasions.

Lage: But they felt differently, it would seem.

Gardner: Yes, but they were not unanimous either. And faculty members on both sides of the issue, several of whom were experts on South Africa--its economy, sociology, history, culture and apartheid policies.

Lage: You had done your research.

Gardner: Yes, I had done my homework. I did my homework, I read at length. I knew where my views came from and why, and that's what I believed. I also knew it would be very unpopular, and that I would be the object of a lot of criticism, which I was, but that's how I felt about it.

Lage: The Academic Council voted in favor of divestment, if I recall.

Gardner: I don't recall. They may have, but I don't think they were of one opinion either.

Lage: I'm sure the faculty wasn't.

Gardner: Correct. The faculty was not of one mind on this. I met with the Academic Council on more than one occasion, to share with them where we were on this issue and to seek their views and advice. Met with individual faculty members on my initiative, some at their initiative, and so forth. So I felt as though I had consulted about as extensively as I possibly could.

"The Issue of the Day"

Gardner: Politically, this issue had been reduced to an absurdity, a bumper-sticker approach to a very complex issue. Namely, if you were opposed to divestment, you must be for apartheid. If you were against apartheid, you must be for divestment. That's what it came down to, which is the tactic of demagogues everywhere, to slot you, and to overly generalize the relationship of issues, and to simplify them. That's how it had come down in people's minds.

My own personal view is that in some respects, I think we failed the students, because there was not a systematic effort made, generally speaking, on the part of the faculty or the administration to better inform the students about this enormously complex issue.

Lage: What kind of a setting could that have been done in?

Gardner: You could have had scholars come and debate it in Zellerbach Auditorium, or Wheeler Hall, or Royce Hall at UCLA, or wherever. Some effort was made to do that, but not a careful, determined, systematic effort, which I think should have been done.

Lage: Well, it was the issue of the day.

Gardner: It was surely the issue of the day. And you know, people have strong opinions, so that's okay. I just think we could have done a better job of helping educate the students about the issue, its meaning and implications, and that credible opinions on all sides of this issue were deserving of their respect and consideration. After all, we're an educational institution, not a political action committee!

Protests, Arrests, and Incidents, both Funny and Serious

Gardner: Some funny things happened in the course of this controversy. There was a group of physically disabled people who were protesting and who wanted to make their statement in favor of divestment. When the Regents met in May of '85 at the Lawrence Hall of Science, that's up on the east side of the Berkeley campus, it was hard for the disabled people to get there because of the hill. So they went to University Hall and chained themselves to the pillars. But all the police were up at Lawrence Hall, so nobody came to arrest them. [laughter] We got a call from them partway through the afternoon saying, "When are you going to come and arrest us? We're tired of sitting here." We said, "We'll get to you as soon as we can, and it will have to be UC police because the city of Berkeley police won't help."

Lage: You're kidding!

Gardner: No, it's true.

Lage: Did you keep your sense of humor through this?

Gardner: I tried, pretty much.

Lage: Were you able to stay on an even keel?

Gardner: I stayed on an even keel. I did, on this one.

We also had maybe 1,000 people arrested outside my office in the course of this nearly two-year controversy.

Lage: Was this at a particular event?

Gardner: No, mostly in the course of the spring of '85 and of '86. A lot of people were there wanting to protest, and so we accommodated them. I never objected to protests as long as they were lawful. If they were unlawful, we arrested them. If they were lawful, we protected them. That's the way we handled it.

We did have one incident where a group of people came in. I don't know if they were students or not. A group of people forced their way into my inner office, roughed up the secretaries, forced their way into Gloria Copeland's office, and took it over. My secretary managed to lock my door before they could get in. The receptionist--I think she was about six-foot-two--had been a prison guard in the County of Alameda and wasn't brooking any of this behavior, so that helped a lot.

But it was not good. I don't like the staff being intimidated. So we had the police up immediately and had the intruders arrested. Do you think we could get a conviction in Berkeley? Not on your life. No chance.

Lage: You were locked in your office?

Gardner: Yes, I was, although they made an assault on the door that proved to be unsuccessful.

Lage: That must have been uncomfortable.

Gardner: Yes. So that was the nature of the environment that surrounded us in the course of the spring of 1985.

June 1985 Regents' Meeting: Decision Not to Divest

Gardner: Then we had the June meeting of the board, where the decision was to be made by the board. It was at UC San Francisco. We had all the streets leading to the University Extension Center in San Francisco where we met blocked off. The San Francisco Police were not welcoming this problem, and they're tough, and they did

maintain control. They were not UC police in terms of understanding and dealing with students. Decidedly less patient! We had very tight security in terms of access to the hearing itself. The public had access, but we had the appropriate safeguards, because the governor was there. And we started our meeting. This was being transmitted live by KQED, and KPFA may have broadcast it on radio also, I don't know, but this was done on television. It was broadcast live, for four and a half hours.

Lage: Goodness.

Gardner: Yes. My statement is in the record. I made it clear.

Lage: Right, and I've got it along [see Appendix].

Gardner: Yes. I made it clear why, in my opinion, we should not divest, but I also proposed a number of what I thought were very constructive responses to the concerns that people had. That is, we would invoke the Sullivan principles for those companies that were doing business in South Africa in which we chose to invest. The Sullivan principles had been worked out by the Reverend Leon Sullivan and were being adopted around the country, and it was a very constructive kind of response, in my view, and some other things. I proposed to constitute a committee within the University of California to monitor the performance of the companies in which we were invested vis-a-vis the Sullivan principles and make some other inquiries. I don't remember all the particulars. I asked Chancellor Young to chair this committee, and so forth. In any event, I made what I thought was as constructive a response as I possibly could, and that's what I believed we should do.

Lage: That was your proposal to the board that they were going to vote on.

Gardner: That was my proposal, yes. Well, I made this motion.

Then a substitute motion was made by Regent Willie Brown, and the substitute motion was to divest.

Lage: Did you expect this?

Gardner: Oh, sure. Oh, yes, we had talked about it, and I knew what was coming. I mean, that's the way it works, that's not a problem. So he made a substitute motion, and the substitute motion was defeated.

Lage: After quite a discussion.

- Gardner: Oh, quite a very extensive debate, very extensive debate. I think we were heard from some of the public, I can't remember if we did or not. Maybe we regarded the earlier meetings as our public input.
- Lage: I think it was more just among the Regents.
- Gardner: Well, it was a vigorous debate among members of the board. But a respectful debate. People were not demagoguing this issue, people were respectful of one another, there were not high levels of irritation, there was courtesy. It was a very civil and, I thought, a very intelligent debate. It was a good debate; I enjoyed, actually, listening to it. I didn't have a lot to say after my initial proposal. I thought the board ought to settle this on its own. They had my views and could then do as they wished. I did not regard the vote as a vote of confidence or as a vote of no confidence in me. I did not personalize the matter, in other words.
- Lage: Were there ways that the board divided that you would have anticipated?
- Gardner: I thought I knew how it was going to fall.
- Lage: Had you talked to them before to try to get support?
- Gardner: I had talked to every single regent. I should have mentioned that.
- Lage: Yes, that's important.
- Gardner: Let me go back, now: before the June meeting, I talked with every single regent, not only early on to seek their views and advice, but also just before the June meeting so that they knew what I would be recommending.
- Lage: Putting forth your views?
- Gardner: Yes. I told them what I was going to do at the June meeting so they wouldn't be surprised. I wanted them to know that, and why I was doing it. I told them they should feel perfectly free to do whatever they felt they should do, just as I was, and they ought not to regard our being on opposite positions as anything other than that. In other words, I would not take a no vote on my resolution as a lack of confidence in me, unless they meant it that way; I didn't take it that way. So they should feel perfectly free to do whatever their conscience dictated.

I went up personally to see the governor in Sacramento. I visited with him and Steve Merksamer, his chief of staff. I gave him a copy of what I was going to say. He said that he would support my recommendation. He thought it was a constructive response. But it was also clear that the governor was somewhere in the middle, not really comfortable with either side's position.

Lage: Oh, you knew that even then?

Gardner: Yes, even then, he was kind of in the middle. He was of Armenian extraction, and the persecution and suffering of the Armenians in World War I, including members of his family, were still sharp in his memory. I think that had an effect on his judgment here. But he thought what I was proposing was a reasonable thing to do, all things considered, and that it was a constructive response. He said he would support it, and he did.

Lage: I would think what the Regents did would have implications for how the state might be expected to deal with their retirement fund. So it would be very important for the governor.

Gardner: The governor, of course, couldn't miss the meeting. He had to be there. He was there. All of the regents were there, if I recall, maybe two or three were missing. I'm not sure. But having talked with all of them, I knew exactly where they were all coming from, at least coming into the meeting.

Lage: You expected to win on the vote, I gather.

Gardner: I expected to win, but at the same time, you never know what's going to happen at the meeting itself that would influence people, and there were some who were intending to vote a certain way, but I thought they could switch. So while I thought I had the votes for my resolution, I wasn't altogether sure. All it would have taken would have been four, something like that, going the other way to change the outcome.

Lage: Right. I think it was thirteen to nine, if I remember.

Gardner: Something like that. That's all it would have taken.

Back to the meeting. Regent Brown proposed a substitute motion to divest; that was defeated. And at about that vote, I thought, Well, nobody switched. Or if they had, it was one or two, I can't remember.

Regent Brown then took his defeated motion and disaggregated it, and then proposed a substitute motion paragraph by paragraph,

trying to get some of it into my main motion. There was a lot of passing of paper and regents moving around. Regent McCarthy would come up to me and say, "What about this?" I would say, "That won't work, how about this?" And we would talk around. It was all on TV.

Lage: Was that amenable to you?

Gardner: Oh, yes, sure. Of course. I was trying to do the best I could here. I mean, I would not have agreed to divest, but in terms of trying to respond to some of the concerns of the way the committee I was proposing be formed was constituted, or how the Sullivan principles were going to be monitored, I was very open to discuss such matters if individual regents thought they warranted further discussion.

Well, we're going along defeating every paragraph of the substitute motions being made by Regent Brown. Every paragraph was going down. And some of the regents were feeling badly that those who felt strongly about it were losing every time. So they were looking to give them something. Well, there was one paragraph that came up that, you know, it was okay. I wouldn't favor it, but we could live with it. Regent Brown and Regent McCarthy, Lieutenant Governor McCarthy, were quarterbacking all this. Of course, they knew what they were doing.

Lage: Yes, they're used to it.

Gardner: They knew what they were doing. They were handling the procedural aspects of it.

Well, Regent Gaines--this was his last meeting--could not resist jumping in. After all, all this had started at his request, there were a lot of students there, and he felt that he had a chance to be center stage. He jumped in on that one paragraph and made the motion for its enactment, rather than Brown or McCarthy doing it.

By and large, the Regents tended to look more favorably on Regents Brown and McCarthy than they did on Regent Gaines, so the result was a most interesting occurrence. The minute Regent Gaines took control of that paragraph as the maker of the motion, I could see Leo McCarthy and Willie saying to themselves, "What is going on?" They were very unhappy. Regent Gaines was oblivious to this, and was pressing for this motion, pressing for this motion, which in my opinion, if either Willie or Leo had introduced it would have passed, but with Gaines doing it, I wasn't sure.

This went on for a while. It was the last item of business of the day, the last motion before the final vote on the main motion. When it finally came time to vote, Regent Gaines said to Vilma Martinez, "Madam Chairman, roll call vote," which, if agreed to, meant every regent had to vote individually as against collective, ayes and nays. Regent Martinez ignored him. She said, "Is everybody ready for the vote?" "Madam Chairman," he said, "roll call vote. I called for a roll call vote." I leaned over to Vilma and I said, "Vilma, Regent Gaines is asking for a roll call vote." She said, "I can hear him." [laughter]

And he did it one more time, she ignored him, and she said, "We are now voting. All those favoring the motion, say aye." "Aye." "All those opposed to the motion, say no." "No." She said, "The noes have it, motion defeated." Just like that. I turned to her and I said, "Vilma, the ayes had it. The noes didn't have it." She said, "I know that. It's just a bad motion." The main motion, my first motion, was then moved and promptly passed and the meeting was adjourned.

Lage: [laughs] Oh, dear! Is this a comment on what people thought of Regent Gaines?

Gardner: I guess so. In any event, Willie Brown was sitting at the end of the table and observed what had happened, and I thought he might be very unhappy. He was not unhappy; he was laughing. He knew exactly what occurred, and for him, it was kind of a--

Lage: He probably did it all the time.

Gardner: Yes. He had a good time. So that's what happened.

Lage: That's very funny.

Gardner: So the Regents did not vote to divest. They instead rejected divestment in June of 1985.

Lage: But they did vote to make some changes, to apply the Sullivan principles.

Gardner: They accepted my motion, and my motion laid it all out, and that was what the Regents approved.

Lage: And that committee was constituted?

Gardner: Chancellor Young chaired it and did a good job of it.

Lage: But the issue didn't seem to go away.

Gardner: Not at all. Not at all. I didn't think it would.

Lage: Oh, you didn't think it would?

Gardner: Oh, no, no. That was just the beginning of it. It settled down for a while and started again in the fall.

The Problem Continues, Academic Year 1985-1986

Gardner: I'll take it through '86 if you want.

Lage: Right, definitely, up through July 18, '86.

Gardner: What we had for the academic year '85-'86 was more of what we had in the spring of '85.

Lage: More protests.

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Gardner: We had shanties for much of the year, we had protests on all the campuses--

Lage: Now, shanties were the symbolic shantytowns?

Gardner: Yes, shantytowns, we had some of that. We had protests throughout the year; some of it was quite vigorous. I was under intense pressure in Sacramento to reverse the Regents' action. It was difficult. I had no intention of putting this back on the agenda.

And then there was a gubernatorial race in 1986, and Mayor Bradley from Los Angeles was running against Governor Deukmejian, and Mayor Bradley was making a great deal in his campaign of the fact that Governor Deukmejian had opposed divestment and had voted against it at the June meeting of the board in 1985. Moreover, the whole thing was a more politically vigorous issue nationally at that point than it had been in 1985.

Lage: Nationwide.

Gardner: Nationwide. I mean, we hadn't been the first, but we sure weren't the last. We were at the front end of it, actually, and therefore nationally, this was building up, building up, building up, and therefore there was more and more pressure coming to bear on the Regents.

People had given up on me. It was an easy year for me. I'll never forget, Mike Heyman called me one day--I forget when it was, sometime during '85-'86--and he said, "Dave, I have 1,500 protesters outside my office here in California Hall. How many do you have at University Hall?" I looked out and said, "There's nobody here at University Hall. It's quiet as can be." He said, "But you're the one who's opposed to divestment, and I favor it. Why are they protesting me?" I said, "Because they want to strengthen your resolve, and they've given up on me." He said, "There's no justice," and hung up. [laughter]

Lage: That must have been quite an experience.

Gardner: We laughed. That was funny.

Lage: How did the other chancellors feel?

Gardner: They were divided.

Lage: Would they have strong opinions?

Gardner: Yes. We had big arguments about it.

Lage: Sinsheimer, I seem to remember--

Gardner: I think Bob favored it. That's my recollection. I've got to be careful, because I can't remember every chancellor's position on it.

Lage: It seems as if it didn't bother you if the chancellors didn't fall in line with your own views. Or did it?

Gardner: It would have bothered me if they had made a big issue of it publicly. It didn't bother me at all that we were disagreeing privately.

Lage: But some of them did make their views known?

Gardner: They were pretty supportive after June of '85. After all, that's what the board decided, and that was their job, so they were okay. I never had a real problem with them.

Governor Deukmejian Officially Reopens the Issue, July, 1986

Gardner: In any event, it was clear, as we went into the spring of '86, that this issue was going to be a live issue again, and I frankly don't recall why it was back on the agenda in July of '86.

Lage: I have in my notes that Governor Deukmejian asked you to place it on. On June 20, he requested reconsideration at the next meeting.

Gardner: Okay, that's what happened. I had forgotten how it got back on.

Lage: That would be a good reason for putting it on.

Gardner: [laughter] Yes, that would certainly do it. I recall now. Steve Merksamer, his chief of staff, called. I knew Steve, we worked closely together, he was a tremendous help in our budget and in other relations in Sacramento. We were friends and always able to talk straightforwardly with one another.

He said, "The governor's views on divestment are shifting, and he would appreciate your putting this on the agenda." I said, "You mean for reconsideration?" "Yes. He's going to favor divestment." I said, "I need to come up and visit with you and with him personally to make sure I understand what's going on here." He said, "Any time you can come up, you're welcome. We'll arrange the governor's schedule accordingly."

I went up and spent about an hour with the governor. He said he had been reflecting on this matter, that even last year he wasn't confident that my motion was the right thing to do, but all things considered, he thought it was, which is why he had supported it.

Then he came out with some of his own very personal feelings about the kind of prejudice that was reflected in South Africa against blacks, the whole apartheid regime. He's a person of strong emotions and feelings. He indicated to me that he really had thought that what the board had voted on in June was an appropriate step for us, but apparently none of this is helping, and conditions in South Africa are getting worse, and we really ought to take account of it.

I said, "Well, I respect your views on the matter, but I also respectfully disagree with you," and reminded him again why I disagreed with him. I said, "Is it your intention to make a motion to this effect?" He said, "Yes." I said, "Well, that's your right. I'll calendar it. You need to know, however, that

I'll be voting no on your motion. I don't want you to be surprised." He said, "You should feel free to vote any way you wish. It will have no effect on our relationship." I thought he was very good about that. Most governors would never have said that; they would have put a lot of pressure on a university president to agree with them. Governor Deukmejian did not.

Lage: Most governors would have expected you to fall in line?

Gardner: You had better believe it. So my respect for him went even higher, because he didn't put any pressure on me at all.

Lage: Did he mention the political race?

Gardner: He never did.

Lage: But you feel it was a factor, perhaps?

Gardner: Cynics took the position that he only did it because of the gubernatorial race. I don't believe that. That may have been a factor. I'm not saying it wasn't a factor, but I do not believe that's why he did it. He did it because he changed his mind.

Lage: There had been an incident that he referred to in South Africa: June 12, the state of emergency was declared and a lot of arrests were made.

Gardner: Oh, yes. Things in South Africa were going from bad to worse, and he felt that our response the previous year was, therefore, less responsive to the situation than he had thought at the time it would be. Things were really heating up in South Africa at this point.

Lage: So you knew this was coming.

Gardner: Oh, sure.

Lage: I read somewhere that you were surprised, taken off guard.

Gardner: Oh, absolutely not.

July 1986 Regents' Meeting: Decision to Divest

Gardner: Now, I calendared this as an item from the governor, not as a president's item. It was his motion.

Lage: You didn't call all the regents before, I'm assuming?

Gardner: I didn't call anybody. Some of them called me. I said, "I don't know what the board will do. This is the governor's motion, it's not my motion. I'm not lobbying anybody; people can do anything they want. They know my view. It hasn't changed. We're just going to go into the meeting." Now, whether the governor called some of the people or not, I don't know, but there had been a significant turnover on the board between June of 1985 and July of 1986.

Lage: Had he put some new people on it?

Gardner: Yes, I think there were four or five new regents. None of them had gone through the difficulties of the previous year and a half, none of them. Generally speaking, newer regents didn't understand the issue, they were not informed about it, they had heard none of the public testimony, they hadn't experienced what we had, and therefore, they were able to be more confident about their views than they otherwise would have been.

Lage: [laughs] And were they more beholden to the governor?

Gardner: They were, because they had been recently nominated by the governor but not confirmed by the senate.

Lage: But it still makes them legal members?

Gardner: They could still vote. Oh, yes, they're legal members for a year. The governor nominates them, they go to the board meetings. They're legal for a year, they vote for a year, but within that year, the senate has to confirm their nomination or they're out.

But the senate was controlled by liberal Democrats, and these were all Republican nominees.

Lage: So it wasn't just being beholden to the governor.

Gardner: No. They had to allow for everything.

Lage: We'll have to look up who these four or five new regents were.

Gardner: Yes, and how they voted.

Lage: Does it fall in line?

Gardner: It shifted the board majority in favor of divestment. Things switched. But I didn't lobby anybody.

Lage: Do you think that if there hadn't been those four or five new regents, that Deukmejian's switch would have brought about the same result?

Gardner: It's problematical. If it had been the same board in '86 as it was in '85, I'm not sure that even if the governor had changed his mind the board would have changed its mind. But with these new regents, it did change.

This meeting was held in UC Santa Cruz in July of '86. School was out, so the political environment surrounding this meeting was pretty routine. No big problems, pretty routine meeting of the board. Mayor Bradley came, made his statement, so forth and so on. I suspected that the board would divest this time, and while I hadn't lobbied anybody, my views on the matter had not changed. I felt strongly enough about it that I thought perhaps I ought to make some statement at the Regents' meeting. After all, I was president, and I had spoken forcefully the previous year.

So I spent the night before (until 2:30 a.m., actually) polishing up something I had already started, wherein I recited the obligations of the board under the constitution to keep the university free of political and sectarian influence in its internal affairs, the board's fiduciary duties under the law, the history of this issue, and so forth. And finally, why nothing had really changed in the past year that warranted the board putting aside either its duty or its motion of '85 on this matter. I did all that in two or three pages. The chairman of the board was Frank Clark at that point. After dinner the night before, he said, "I'll pick you up from your room and we'll drive up to the Regents' meeting in the morning, so we can visit." I said okay.

He stopped by with his car the following morning on our way to the meeting. I got in, handed him my statement and said, "What do you think of this?" He read it and said, "Well, I think the governor has the votes. You should know I'm voting no on his motion just as you are, but I think the governor has the votes." Then he handed my statement back and said, "You know, it's a lot easier to vote for divestment than it is to replace the president of the University of California."

I think he thought that, if I were to state my case as clearly as I did in that document, it might be either persuasive, in which case the governor's motion would be defeated, with all the implications that would flow from that; or, if not persuasive, then the governor's attitude toward my role in this might become hostile; and he thought I ought not to be caught up

in this, when the outcome was inevitable anyway, as he saw it, and, in any event, my views were well known and respected, even by those holding ones to the contrary.

Lage: Did you see it as an issue you were willing to put your job on the line for?

Gardner: I had already done that earlier.

Lage: In what way?

Gardner: The previous year.

Lage: In terms of what?

Gardner: I was taking a position on divestment that the leadership and a majority of legislators of both houses of the state legislature vigorously opposed as did forty percent of the Regents.

Lage: But they don't hire the university president.

Gardner: No, but they act on our budget, and the regents do listen when they speak.

So I thought, Well, my views on this are already crystal-clear, people know my views in this matter, and maybe it's better, all things considered, that I just remain silent at the meeting. I had not undertaken to lobby for my views before the meeting, and I guess I didn't really have to do so at the meeting either. It wasn't going to make much difference anyway at this point. So I didn't say anything at the meeting. Nothing.

Lage: And?

Gardner: And the governor made his motion, indicated why, it was debated, and the motion passed. My views or comments were not invited by any regent, as would be customary. I believe they all understood what was happening. I forget what the vote was. I voted no.

The Aftermath

Lage: Was it disturbing? Did you find it disturbing personally?

Gardner: Yes. I was unhappy about it, because I thought it was a result of forces that were disproportionately political, as against what

people really believed. I know that some of the newer regents who voted for it did not really believe in divestment at all.

Lage: Maybe they wanted to get on with the business of the university.

Gardner: Yes, I think they did. And that's another reason I didn't make a big issue of it. I thought that we had done the best we could, and this is it, so we ought to get on with things. If they want to vote for it, that's up to them. That's kind of the way I looked at it. I wasn't real happy about it, however.

Lage: But were you seriously disturbed by it? It was the first thing you had really lost.

Gardner: It bothered me. Yes, it bothered me. Not because I lost, but because I thought it was the wrong decision.

Lage: Does it affect the president when he loses an important vote?

Gardner: Well, yes, you have to be--you can't lose too many, right?

Lage: Yes. [laughter]

Gardner: But I hadn't lost any [prior to that], so--

Lage: Does it affect the future, or your power on the board?

Gardner: It had no effect on my service of any kind whatsoever, either with the Regents or with anyone else at that point. It was okay. I think most of the chancellors were relieved they didn't have to face another year of protests.

Lage: Yes, that's another way of looking at it.

Gardner: I think that's how they looked at it. I know that's how Mike Heyman looked at it, anyway. Perhaps others as well.

Lage: The university's action was just one small part of a series of actions. Do you think it did affect the outcome in South Africa, or have you had cause to reflect on this?

Gardner: I don't know. I don't know anyone who does know. I know a lot of people think they know. I don't know.

Lage: Did the policy get put into effect before apartheid fell apart?

Gardner: Yes. We divested within a year.

Lage: That fast?

- Gardner: Yes. We also abandoned the committee Chuck Young chaired, just eliminated all that, and divested ourselves of stocks doing business in South Africa.
- Lage: And was that the president's office's responsibility, or did the treasurer take care of that?
- Gardner: That's the treasurer.
- Lage: And he's an officer of the Regents.
- Gardner: Yes. He did that. That was that.
- Lage: How did it affect the value of the university's portfolio?
- Gardner: It's very hard to calculate, because it depends how wisely you chose alternative investments, and when you sold. The transaction costs were enormous, because I think we had a couple of billion dollars involved here.

So that was that, and that was my first big--I must say, until just before I left the university, the only real major problem I had. And it was interesting, Ann, because most of the regents who voted for divestment called me and said how much they had respected the way I had handled this, even though they disagreed with me. They thought the way the whole thing had been handled by the university administration was exactly right. They believed I had comported myself properly, not just at the July meeting in Santa Cruz but the whole previous year and a half, and I shouldn't take anything from their vote as to their judgment on my work or anything like that. So they were very good about it. And they said the same things publicly, too. So, too, did the governor.

- Lage: That's good.
- Gardner: Yvonne Braithwaite-Burke went out of her way to say something along those lines, publicly at the meeting.
- Lage: Now, Vilma Martinez voted with you.
- Gardner: Yes. You see, the votes against divestment at the July meeting did not break out on Republican-Democratic lines at all. It was not a politically partisan issue. It was in Sacramento, but it wasn't among the Regents.
- Lage: In the first vote, in which you won, two of the most conservative members voted no, Watkins and Campbell.

Gardner: I know. You figure it out. [laughs]

Moving the University Headquarters from Berkeley to Oakland

Lage: We should talk about moving the headquarters to Oakland, partly because I'm wondering if there was a relationship between the move and all that divestment protest and your unhappiness with the Berkeley police.

Gardner: Moving to Oakland, which I think was not one of the more popular decisions I made, was a decision taken for a number of reasons. I forget when we moved, '88 or something?

Lage: I think it was '88 or '89, but the planning began in '86, which was that same time period.

Gardner: Yes.

What I found coming in as president was that the Berkeley campus thought we were always looking over their shoulder because of where our offices were located, immediately west of the main entrance to the Berkeley campus. The other eight campuses thought Berkeley was advantaged because we were next to the Berkeley campus. Berkeley thought they were aggrieved by our being there, and the other campuses thought Berkeley was being advantaged, point number one.

Point number two, more than half of my staff was in leased space sprinkled around the city of Berkeley, which was costing us a lot of money, and not very efficient. We thought, "We really should bring these people together and modernize University Hall, do some seismic work on it and maybe put an addition on it." We had some plans drawn to put an addition on the southwest corner of University Hall and to seismically strengthen the entire building, and bring in all the people in leased space so that we would have them housed together.

We did a cost analysis of that, and it proved to be financially advantageous for us to build the addition rather than to continue to lease space. So we undertook to do that. We weren't thinking of leaving. That's the point I want to make. Even after all these problems, we weren't thinking of leaving. We wanted to add space to the existing site.

Then we were given such grief by the city of Berkeley about our plans to add to University Hall that I began to wonder about the merits of our doing so, or, staying in Berkeley.

Lage: What was their objection?

Gardner: They didn't want another highrise building in downtown Berkeley, the amount of congestion, the parking. They were unhappy with us anyway because of the divestment issue. They were very unhappy with us, because it had taken them a year and a half to secure peace on the divestment issue. They were not happy with us.

And then there was the question of how did we pay for it? Some Democratic legislators weren't happy with us either because of the divestment issue. We were given grief by the city of Berkeley, and the kind of problems that we were going to have getting our plans approved, hoops through which we would have to jump and so forth. It was very discouraging. After all we were a major employer in the city.

Lage: Do you think they realized that you could consider another spot?

Gardner: We told them.

Lage: You told them from the beginning?

Gardner: Yes, we told them right from the outset, when we started getting this resistance. We said, "You know, we don't have to be here." They didn't believe we would ever do anything about it. And when it was clear to me that in order to get a modest addition to our building approved, we would also be enduring a big political fight about our spending money on administrative offices when there's not enough money for this or for that, even though the university was doing real well financially at that point; the city of Berkeley hassling us for their own reasons; their gross unwillingness to help us maintain order during the divestment protests in '85 and '86; allegations about our expanding bureaucracy when all we were doing was bringing existing staff together--I could hear it all coming.

I thought to myself, "The other campuses would not find a move out of Berkeley to be unwelcome. I've never felt as though the Berkeley campus was happy that we were here. We should think seriously about making a move." As I've noted earlier in our interviews, I never felt especially welcomed by the Berkeley campus. A disproportionate share of our time was taken by Berkeley-related issues, whether it was the animal rights protests, or divestment, or something else, we got caught up in it. Our staff got caught up in it. Consequently, we would be

paying disproportionate attention to the daily occurrences at Berkeley, and therefore, by definition, less attention to the system as a whole--less, in my view, than we should be.

And finally, the amount of security, time, and effort involved in dealing with protests at Berkeley that spilled over to the president's office was not inconsequential either, and the divestment thing had just driven that point home. So there were a combination of reasons, as I've just described, that caused us to begin to consider alternatives to the Berkeley site.

We looked in San Francisco, we looked in Alameda, we looked into whether there was any place on the Berkeley campus that we could move to, we looked in southern California. In the end, we finally settled on the Kaiser Center in Oakland, where we got a very favorable lease. The fact is, it cost us considerably less to move our offices to the Kaiser Center than the costs we were incurring remaining in our present site, together with our Berkeley leases.

Lage: Because of the favorable lease?

Gardner: The favorable lease arrangements we got there. The other thing is that we then freed up space in University Hall for the Berkeley campus to use, space which it desperately needed, because they also had people in leased space all over the city of Berkeley. So they were able to consolidate many of their operations in University Hall. The Berkeley campus paid us lease cost for University Hall, which helped finance our costs at the Kaiser Center. None of us then had to build any buildings.

Lage: So you think it was a good financial decision.

Gardner: It was a good financial decision, and it relieved some of these other problems to which I've made reference. Oakland wanted us, Berkeley either didn't or could have cared less. We were welcomed by Oakland, and from a functional standpoint, it was a very favorable move. It's also true that half of the employees of the president's office lived in Oakland, and half lived in Berkeley, Albany, and El Cerrito. So whereas we may have extended the commute for those on the north side of the county, we assisted those on the south side of the county.

It's also true that the Kaiser Center was a much nicer building than University Hall, which was a pretty miserable place, frankly. Pretty miserable place. It was from the time it was built. I remember when it was being built in 1967-68. The Kaiser Center was much nicer, and it was more secure. We never had any problems there, we didn't have to worry about that any

more, because that's private property, not public property. Never had any problems there.

The problem with the move was that the very people who seemed to be either hostile to or indifferent to our presence in Berkeley, when we chose to move, were the first to criticize the fact that we weren't staying in Berkeley.

Lage: The people?

Gardner: Faculty, and city officials, both.

Lage: Oh, goodness.

Gardner: Yes. And people said, "It's a corporate headquarters, and it's a corporate image," and I suppose there's something to that, but not much. There was a lot of resentment about the fact that we left Berkeley. And from an economic standpoint, it hurt the city, no question of it.

Lage: So now they want the president's office back.

Gardner: Yes, they want them back. I wish they would make their mind up.

I might also say that people coming from all the other campuses, especially from the five southern campuses, found it to be infinitely more convenient to meet in Oakland than in Berkeley.

Lage: Because of parking?

Gardner: No, just getting from the Oakland Airport. Everybody flies into the Oakland Airport; Oakland's just ten minutes away. Parking is easy. Trying to get into Berkeley is another fifteen minutes, under favorable traffic conditions.

Lage: That's true. I've experienced that.

Gardner: And so the other campuses were quite supportive of it.

Lage: What about your own employees?

Gardner: I would say it was a mix. Some were very unhappy about it and actually resigned to accept positions on the Berkeley campus, because maybe a spouse was there or something. They didn't want to leave Berkeley. Others could care less, and were happy to get into nicer quarters. Others very much favored it because it was more convenient for them in terms of their lifestyle and where they lived. It was a mix.

Lage: Now, you hear a lot of criticism about it being opulent, the size of your office, the culture of the organization changing. What do you say about that?

Gardner: My personal office was no larger in Oakland than it had been in Berkeley. It was, in fact, much smaller than the chancellor's office at Berkeley.

My staff was better housed. It was really hard in University Hall. The staff was better housed in Oakland. I had about the same office, same size. My view wasn't as nice as at Berkeley, looking out on the Berkeley campus. I missed that. But it was kind of a standard--I'll put it this way: people tended to think that it was opulent only by comparing it to University Hall.

Lage: Which is a pretty grim place.

Gardner: Which is a pretty miserable, grim place. And if you compare it with that, it's certainly nicer. If you compare it with most any other office, it's about par. I never heard our critics commenting about the inadequacies of University Hall.

Lage: Was it easier to manage, do you think?

Gardner: Absolutely. Now, in terms of people's attitude toward it--the changed culture, not being next to a campus--so for people who believe that's important, this was not a satisfactory move, no question. They didn't like it. Some still don't; and they felt we should be on a campus, so forth and so on, or at least next to one.

Lage: Even Atkinson has said that. He wanted a campus atmosphere.

Gardner: Yes. Well, maybe he'll experience it as president. [laughter]

See, there's a difference between being president, where you have no control in terms of time, manner, and place decisions over what's going on on the campus. The chancellor does. It's different. As a president, you're almost a tenant, if you want to put it that way.

Now, whether that was the right decision or not I think is a debatable point. Whether I would do it again or not, I'm not sure. It seemed to be the right decision at the time.

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Lage: What makes you reconsider at this point?

Gardner: The general hostility toward that decision was more extensive than I had anticipated. I think people, for a variety of reasons, wanted to think of it as the president removing himself from the campuses, so people who wanted to criticize the president's office found that to be a convenient means of doing so. I underestimated somewhat the willingness of people to do that, especially after I had announced my intention in the fall of 1991 to resign as of October 1, 1992. People were then looking for reasons to criticize, knowing that I was to be president for only a few more months. The criticism was at that time more of a convenience for critics than a substantive objection to our new offices in Oakland.

Lage: Did the move make you feel more remote from the campuses?

Gardner: It had no effect on my daily life.

Southern Branch of the President's Office

Lage: While we're on this, let's talk about the southern office. That was another controversial issue.

Gardner: Yes. We had five campuses in southern California; we had four in the north. The southern campuses had consistently felt that they were thought of last. They did not find it to be an unwelcome move for the president's office to relocate to Oakland from Berkeley. The growth in the university was in the southern campuses: UCLA, Irvine, San Diego, Riverside, Santa Barbara. And President Sproul, you know, actually lived in southern California for part of the year when he was president. They had an office and a home for him both places.

Lage: I hadn't realized that.

Gardner: Oh, yes.

Lage: To keep an eye on UCLA.

Gardner: Absolutely. In fact, the home Chancellor Young has on campus was the home that was built for President Sproul, and he lived there. He was there several months out of the year and then in Berkeley the rest of the time.

Well, President Kerr didn't do that, and neither did his successors. But I thought there ought to be some kind of symbolic and functional acknowledgement of the president's office

in the southern part of the state, which after all, is where most of the people live, where most of the students were enrolled, where the growth was occurring, where the political power lay, and where most of the private money was.

Lage: So that was the reason.

Gardner: Yes, because people tended to identify the president with Berkeley. The reason for that is that Berkeley was the first campus, and President Sproul not only ran the Berkeley campus, but he also sought directly to manage the rest of the university as well. So there's an identification in the rest of the state of the president's office with the Berkeley campus.

In order to try and offset that, we opened a small office near the Irvine campus. It was extremely convenient, flying into Orange County from Oakland, frequent flights, inexpensive flights, easy to go back and forth, almost as easy as driving to San Francisco on a crowded day, and Irvine was at the center of the southern California area and our five campuses in the south.

We opened a small office there, not just for me but for meetings of the vice chancellors for academic affairs, for example. They would meet in Oakland one month, then they would meet in Irvine the next. So people from the south didn't feel like they always had to go up to the Bay Area. It also got the people in the north out and down to the south, as well. That was true of people involved in our building program, our budgeting, our academic programs. They would all use those offices.

Lage: To meet statewide?

Gardner: Yes, for statewide meetings. So we had more of a presence in southern California, and the president's office was there. I spent very little time there personally, very little time.

Lage: When you mentioned that a lot of the money is in southern California, does this office have anything to do with fundraising?

Gardner: It had to do with my meeting people of prominence in southern California. Having an office there, and saying, "The president has an office here," which had never been true, except when Sproul was there. Sproul had the opportunity of meeting the key donors in Los Angeles and so forth when he lived there. The president of the University of California today has very little opportunity to do that.

Lage: Were you on the Irvine campus?

Gardner: No, off the Irvine campus. Not on the Irvine campus.

Lage: How did the southern California chancellors take to this idea?

Gardner: They were happy about it and supportive.

Lage: They didn't feel like you were looking over their shoulders too much by doing this?

Gardner: Not at all, they were very supportive of it. Chancellor Young was very supportive, Chancellor Peltason, Chancellor Atkinson-- they were all supportive of it. I was rarely there. It was used mostly by others.

Lage: Was there controversy associated with it? I seem to recall some. Or was that later?

Gardner: Not at the time; that was later. Later, when I was leaving the university, people were looking for opportunities to be critical, and made an issue of it.

Lage: But before that, it was just accepted as a way of doing business.

Gardner: Absolutely. I mean, it's hardly atypical. And people don't have any idea how huge this enterprise is. There are 155,000 employees in the University of California. There are nine campuses, 165,000 students, three national laboratories, a \$10 billion budget, five major medical complexes. This is a huge apparatus. If you were in the private sector, or even in state government or the federal government, you would have such offices. The governor has an office in Los Angeles as well as in Sacramento. This is the way you try to manage something as huge and large-scale and complex as this university.

Well, people tend not to think about it in those terms. They tend to think, The president has been at Berkeley for 120-some years, and what's he doing going to Oakland? Why does he need an office in southern California? What a waste of money, on and on. This is a 1930s view of the institution.

Lage: Is there any more to say about that? It will come up later when we talk about all the criticism at the end.

Gardner: Yes, we can talk about it then.

Lage: But this will give us our background.

Gardner: Sure.

Affirmative Action**Background: A Basically Noncontroversial Issue**

Lage: I thought we would get into affirmative action and efforts to diversify.

Gardner: While a number of people were, I think, apprehensive about my interest in this matter on the occasion of my appointment, they soon lost their apprehension, and the progress that we made while I was president was mostly a function of the work of others, but certainly with my support and encouragement. I made a number of efforts to try and improve the representation of various minority groups on our campuses, in all capacities; put money into those programs; dramatically expanded our outreach program; made sure our policies on affirmative action were being followed and were fair, as best we could make them; dealt with the criticisms in ways that were not defensive but explanatory. I feel really good about that, and we made a lot of progress.

Lage: Was there a policy of affirmative action already in place when you came aboard?

Gardner: There was, but that went through periodic iterations. We would update them, expand them, or redefine them, budget for them in ways that enabled us to expand and make more effective our efforts in that area.

Lage: The Regents had a committee on affirmative action.

Gardner: Yes, we had regular reports.

Lage: What did that deal with?

Gardner: It dealt with staff affirmative action, student affirmative action, faculty affirmative action, purchasing, contracting, and admissions. We had separate policies for all of those, and we kept them up to date. We had regular reports to the board.

Lage: Were they controversial?

Gardner: They were, but not excessively.

Lage: Did the Regents ever question the basic underpinnings of the concept?

Gardner: Well, most of the criticism--I shouldn't say criticism, it really wasn't criticism. It was a vigorous analysis on the part of some regents: "Why don't we do this, or couldn't we do this a little better, or why is progress so slow here?" The ones who favored it tended to be the most vocal. Those who opposed it by and large said nothing.

Lage: Privately, would they say anything?

Gardner: No, they never made a big issue of it with me. But I knew what they were thinking.

Lage: How is that?

Gardner: I can tell. [laughs] They by and large said nothing. We did, I think, very well, and I think we did it in an honorable way. I don't mean it was flawless, but you learn from your mistakes and correct them.

Lage: Major changes of philosophy didn't occur, it sounds like.

Gardner: No, they really did not.

Asian-American Student Admission

Lage: There were a few times when it became controversial.

Gardner: Oh, sure.

Lage: I remember particularly in regards to Asian student admission, Asian-American admission.

Gardner: Yes. I forget when this occurred, late eighties I think--

Lage: I have '87.

Gardner: Yes. This had to do with admissions. It didn't have to do with purchasing or contracts. It was admissions; these are different issues.

As you know, several of the campuses of the university, even then, had thousands of applicants for admission from persons who met our stated standards for admission. The numbers were well beyond the capacity of any campus. Berkeley had maybe 20,000 applicants for 3,500 spaces, all of whom were within the top 12.5

percent of California high school graduates. They were in our eligibility pool, in other words.

Well, 12.5 percent of the high school graduates who are eligible is an average spread across the state. It is not calculated high school by high school. The 12.5 percent who are eligible fit the state's policy that the top one-eighth should be made eligible by UC's admission standards. UC's admission standards, in order to obtain the top 12.5 percent, specified certain courses to be taken in high school, and the grade point averages to be earned in such required courses for admission. These were supplemented with SAT scores and achievement tests.

Lage: Then each campus had their own system, did they not?

Gardner: Every system was a little different. But the policy adopted by the Regents was crystal-clear: that we were to have a diverse student body, and they were to be drawn from the 12.5 percent eligibility pool, except for a small percentage who were not within the pool but who possessed exceptional talent in music, math, writing, athletics and/or leadership.

The problem is, if you disaggregate the 12.5 percent by ethnic or racial group, you get a very different pattern. Of all the high school students graduating in California each year who are Asian American, 33 percent of them are eligible for UC, not 12.5 percent: 32 or 33 percent are eligible. Of the non-Hispanic whites who are graduating, 16 percent are UC-eligible, not 12.5 percent. For the Chicano or the Latino or the Hispanic, depending on how you wish to describe that particular group, and the African-American students completing high school, 5 percent roughly are eligible, not 12.5 percent. So you go from 5 percent of one group being eligible to 32 to 33 percent of another group being eligible.

You have 20,000 applicants and 3,500 spaces. Roughly 8,000 to 8,500 of the 20,000 would have perfect high school records.

Lage: A 4.0 grade point, or better.

Gardner: Yes, or better. So if you admitted only 4.0 students, you would still turn away 5,000-plus 4.0 students.

Lage: That's an interesting thought.

Gardner: Yes.

Who are the 4.0 students? Who are those 8,000, 8,500 students? They're overwhelmingly Asian Americans and whites,

just a small percentage of Latino and black students are included.

So what our policy said was, for the first 40 to 60 percent of the entering freshman class--and that percentage will vary by campus depending upon the character of the applicant pool and the character of the existing student body, between 40 to 60 percent of the entering freshman class will be admitted strictly on the basis of objective academic criteria, that is, courses in high school, grade point average in the courses required for admission, and test scores, both SAT and achievement tests. They run them through the computer and admit them, between 40 to 60 percent of the entering freshman class, depending on the campus.

The remaining share of the entering freshman class is considered within the context of both the objective academic criteria and a number of additional subjective criteria. What are the subjective criteria? Geography: we want students from every county in the state. We want them from the farms, from the suburbs, from the inner cities. We want them from various socioeconomic groups. We want all the races and ethnic groups, although not in any specified number or in any given proportions. We just want them present. And so forth.

Then each of those criteria is given a weight. No single weighting subordinates all the others. They're each given a weight. Then the second half of the class, 40 to 60 percent depending on each campus, is then admitted using both the objective and subjective criteria.

Lage: And the essay.

Gardner: And the essay; of course, and the essay. And any other materials that the admissions committee thinks is relevant.

What that means is that inasmuch as you're not admitting 100 percent of the class using academic criteria alone, it means you're going to be admitting some 3.8 GPA students to a given campus who will take the place of some 4.0 student who would otherwise be admitted if you only used objective academic criteria. Now, no university in the United States uses only objective academic criteria. No one does that.

Lage: None of the private schools do.

Gardner: None of them. The difference is that Harvard and Stanford do not have to tell you how they choose to admit or turn away student applicants. UC does. We are in the public spotlight in ways

that the private institutions, even though they do essentially the same as UC is doing, don't have to be.

Thus, there were 4.0 students being turned away at Berkeley while 3.6, 3.7, 3.8 students were being admitted. I was visited by representatives of the Asian-American community, and they would say, "Look, your use of subjective criteria," the ones to which I've already made reference, "are being employed by you solely for the purpose of keeping our numbers down. Isn't it true that if you used only academic and objective criteria and not your subjective criteria, Asian-Americans would be at Berkeley in larger numbers than we are now?"

I said, "The answer to that is yes. But no university in the country only admits on objective academic criteria. We're not admitting just individual students; we're admitting a class. We know that these young people learn from one another about as much as they learn in the classroom, so we want a mix of young people that is not reflective, but demographically encompassing of contemporary California.

"It's also true," I would remind them, "that any student eligible for admission at Berkeley who did not gain admission there, whether a 3.3 or a 4.0 student, would be offered a place on one of the other campuses." And we were faithful to that. People conveniently forget that no California resident UC-eligible student has been turned away from freshman admission at the University of California.

Lage: Any number of campuses admit everybody who's eligible.

Gardner: Some. But it needs to be stressed that we have never turned away an eligible, resident student wishing to enroll as a freshman in the University of California. We've turned them away from a given campus or a preferred major, but not from the university. There's no way you could admit them all at the campus of first choice, unless you want Berkeley or UCLA to go to 60,000 or something.

The Asian-American representatives would then say, "We understand that, but we want you to stop using the subjective criteria. It's unfair. The best students should be admitted."

Lage: That's assuming that grade point means an awful lot.

Gardner: Well, that's the assumption.

And Other Minority Communities--Including Whites

Gardner: I was then visited by leaders of the Latino community who said, in effect, and I'm paraphrasing this, "We don't want to hear about your objective criteria. Look at the condition of many of our people. They're agricultural workers. The young people move with considerable frequency. Look at the general poverty of our people compared with the Asian-American community," and so forth and so on. "We're 26 percent of the state's population. We should be 26 percent of the entering freshman class." They argued for proportional representation.

I said, "Well, you go work it out with the Asian Americans. You argue for proportional representation to them. You figure it out. We're doing the best we can here. No one who is eligible is turned away from the University of California. Maybe turned away from the preferred campus, but not turned away from UC."

Lage: Where does their 26 percent figure come from?

Gardner: From the population as a whole. It doesn't have to do with the percentage they are of the high school graduating class, for example. But that didn't make any difference. That was the point that was being made.

The black students and the black community never came in to say anything, because as a proportion of the state's population, they were either stable or slightly declining, because of immigration from Mexico and from Asia.

Lage: You mean as a group, their percentage in California was declining?

Gardner: Stable or declining. And, moreover, they were at the lowest percentage of eligibility, so they didn't know what argument to advance.

The whites finally figured out there was a problem, typically. [laughter]

Lage: Are you displaying prejudice?

Gardner: It's true! They finally figured out: Hey, there's a problem here.

Lage: Did you hear from whites?

Gardner: Yes, from the parents whose children were turned away: "How can you turn away a 4.0?" we were asked. To admit all 4.0s at Berkeley would require the campus to admit over 8,000 applicants for 3,500 places.

Lage: Former alums.

Gardner: Yes. Neighbors. And you would explain our procedure, and in the abstract they would agree with it, but when it came to their child, it was another matter. That's generally the way it was.

So is this a fair way of proceeding? Well, no, it's certainly not perfect, and it's not always fair in individual instances. It's the best we could do, and it's what we are still doing--up until the middle of 1995, when the Regents took out the reference to race and gender completely.

Lage: So they couldn't be one of the special circumstances?

Gardner: That's correct. They took it out. That can no longer be considered. Well, we'll see what happens.

I felt very comfortable defending what we had done. Do I represent that it was always fair? No. Do I represent that it was always fairly administered? No. Do I represent that it's conceptually coherent? Not necessarily. It's the best we could do under the circumstances. We would modify it, we would learn from our mistakes, we would change it. I still think it's the best thing we can do, at the moment. That's my own view of that, that's how that came about. It's a long answer, but it's a big problem in the university and for our society.

Lage: Yes, it's a big problem.

I'm still interested in the Regents. I know there was a report to the Regents about the Asian Americans.

Gardner: There was a report in '89-'90 that I put on the agenda, and it was in the middle of some of this criticism. I said, "The Regents need to understand what is going on here, and why." We spent an entire day at the San Francisco campus, a lot of interested public present, going through these issues. We described them in detail, we walked them through. At the end of the day, they were all very frustrated, because they felt that the policy was not perfect, but they didn't have any viable alternatives.

In the course of the day, when Regent A would say, "President Gardner, why don't we do this instead of that?" I

said, "If you do this, here's what happens, and you hadn't thought about those things." "Oh, that's right, I hadn't thought about that," they would respond.

At the end of the day, there was a high level of frustration, and this was expressed by more than one member of the board. I said, in closing the meeting, "You know, there are some things in life to which there is no agreeable solution at any given time. There just isn't. This is one of those. There's no solution here that will make everyone happy, because everyone's perception of what's fair differs. It's also an expression of self-interest. We can't make everyone happy with our policy. There's no policy you can adopt that will make everyone happy. So is what we are presently doing the solution? No. It's an answer, but it is not the solution."

I finally said, "You know, for those of you who believe you have the solution to this problem, you do not comprehend the problem. And for those of us who do comprehend the problem, there is no solution. We're just doing the best we can." Well, they accepted that.

Lage: They did?

Gardner: They accepted it. Unlike in July of '95 when they thought they had the answer.

A Look Ahead to 1995

Lage: Do you have some thoughts on that [the Regents' vote on affirmative action, July 1995]? I want to talk some more about what happened during your time, but this is relevant here.

Gardner: I thought the issue of affirmative action was unduly politicized in 1995. The Regents' action caused a disconnect between means and ends.

Lage: Explain that.

Gardner: They were not dealing with the policy; they were dealing with the administrative implementation of the policy.

Lage: They agreed that there should be diversity.

Gardner: Yes, but then stripped from the administration the necessary authority to obtain it. No one really spelled out the disconnect

between the means they approved and the ends they sought. Of course, to bring such reasoning to bear would have intruded upon the political dynamics that drove the timing and nature of this matter.

Lage: You mean on politics, on the governor--

Gardner: Yes, right. Which I can understand, but I don't think we should tinker with basic university policies for mostly political reasons.

The Nuts and Bolts of the Process

Lage: Doesn't the faculty have quite a role in the admissions policy? Or how are those different roles--Regents, faculty, president--

Gardner: What happens is the faculty really determines which courses should be required, grade points to be attained for advancement, test scores--they really are responsible for the framework of it. What the Regents do is say, "Would the faculty please tell us how to make the top 12.5 percent eligible. How should we do that?" The faculty responds, "This is the way to do it," and the Regents accept that. Then the Regents will say, "What other considerations should we allow for in our admissions policy?" and then the faculty will offer its advice. Then the administration's job is to administer it. It's an iterative process among and between the Regents, the administration, and the faculty.

The Regents' policy is expressed only in the most general of terms. The president has to be a bit more specific, but leaving as much latitude to the chancellors as possible. In each step of the way, the faculty is central to the decision-making process. That's how that works. The board, of course, and properly so, has the final authority to act.

Lage: Did you sense a strong commitment on the various campuses to affirmative action?

Gardner: Yes, I did.

Lage: This wasn't something controversial.

Gardner: Not generally. In fact, there was a strong commitment to it, I think, on the part of most people.

Lage: You mentioned at our first meeting that you perceived something improper in what Berkeley was doing at one point.

Gardner: Yes. I had discovered that Berkeley had been admitting any student who was a member of an historically underrepresented group--black and Latino principally--who was eligible. If you were eligible, you were admitted, if you were black or Latino. The university's policy did not say that race should subordinate every other consideration, only that it would be taken into account, along with a number of other criteria, as I've described. So we changed that.

Lage: Was that hard to change? Was this something that you and Mike Heyman had to work out, or how did that go?

Gardner: It was done by the admissions people at Berkeley.

Lage: You mean the change was done?

Gardner: Yes.

Lage: Tell me about that. That sounds like you're leaving a lot unsaid.

Gardner: I thought it would be very difficult either to defend the practice, in light of the Bakke decision and other Supreme Court views on this matter, or to defend it in terms of our own policy. And yet, to have challenged it overtly would have jeopardized, in my view, the whole affirmative action program. I mean, the best evidence of that is what occurred in July '95 when the university's policy on affirmative action was ended, in part because of certain abuses which unfriendly regents were able to call out. I was convinced that if I undertook to deal with this in an overly explicit way and so forth, it would jeopardize our whole program. So I did it very quietly.

Lage: Did you not go through the chancellor?

Gardner: No.

Lage: You just talked to the admissions people?

Gardner: I arranged for it to be done.

Lage: Sounds like a better story than you're making it.

Gardner: I'm afraid it is. [laughter]

Lage: I don't think I'm going to get it out of you.

Faculty and Staff Hiring

Lage: What about affirmative action in faculty hiring? It even came to the point where there was an HEW investigation. I think that was before your time.

Gardner: I don't recall it. There may have been. This is not an issue that I really dealt with. I thought our policies were clear. I had no reason to believe they were not being followed. If we found they were not, we corrected it. So it was never an issue for me.

Lage: How about in your own staff? How did you consider the goal of diversity?

Gardner: We were very explicit about that. We made a determined effort to make sure that qualified candidates from all parts of our society were included, assuming they were qualified. I have never believed someone should be appointed merely because of their race, but I do believe that we should make a determined effort to make sure that eligible persons of all races are considered. And that's what we tried to do.

Lage: And gender? How did that fit in?

Gardner: Oh, gender, the same thing. Yes. I never really dealt with that with the faculty. In terms of the president's staff, I would say at the middle management level, it was--the women had a very significant presence. The vice presidents of the university were mostly persons already holding those positions when I came. Con Hopper I made a vice president. He's a black American, M.D., and was earlier a vice president of Tuskegee.

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Gardner: He was a special assistant to the president for health affairs, and I made him vice president. Nancy Nakayama was my secretary, to my great gain and good fortune. So we had, I think, all the races represented in the president's office. Not among all my vice presidents, that's true, but if you include the associate and assistant vice presidents, then yes.

New Campuses for a Growing California

Lage: One thing that seems important--and I don't want to get into the new campuses today, that's a whole other issue--but I know you've tied the goal of diversity and the need for new campuses. Do you want to say something about that?

Gardner: In terms of locating a new campus in the Central Valley, I think I did discuss at some length, did I not, the process we went through to plan new campuses?

Lage: No. We're going to do that next time.

Gardner: Oh, okay. Well, the selection of the Central Valley as the site for the tenth campus was in part related to our need to serve that part of the state better than we had. It's the most underserved part of the state, with any significant population, and it is also true that there are large numbers of Latinos living in that area, and a new campus in this valley would really open up the University of California to our Latino population. That was part of it.

Lage: But what about the idea that we have to have space on campus to take everybody who's eligible?

Gardner: Oh, well, absolutely. That's the overarching reason for new campuses but I wanted to take account of other issues as well in choosing where to locate new campuses. Also, when I was describing our admissions process and I indicated to you that any student turned away from Berkeley or UCLA or Santa Cruz or Davis or whatever, we would find a place for such a student on one of the other campuses. Think if we had to say to a 4.0 applicant, or to their parents, "Sorry, there's no place in the University of California for you, anywhere." What do you think would happen to our affirmative action program? Out the window in a hurry. So we need to grow with the state, as we always have, and that's what was in part driving me in terms of planning these new campuses and the choices we had in siting them.

An Amiable Relationship with Willie Brown

Gardner: I went up to explain this to Willie Brown as to why we needed new campuses. I started to describe it, and he said, "You don't have to describe it. I understand exactly what you're telling me. You have to expand." That was his reaction.

Lage: So he was supportive of that.

Gardner: Absolutely, all the way through.

Lage: Did you get a lot of legislative pressure to have a more diverse student body?

Gardner: Yes, all the time. But it waned as I was president, because we were succeeding. When I first came, this was a real live issue.

I wanted to mention the consequence of my having had a sharp exchange with Speaker Brown in the spring of 1985 over the issue of divestment. You recall I indicated that some regents and some chancellors thought that this was an unwise way for me to deal with him. Well, I believed them. I thought, perhaps the university and I were really going to pay a price.

My fears and theirs turned out to be baseless. By September 1985, after the June meeting of the Regents where Willie's motion was defeated, we had a breakfast at the UCSF chancellor's house in San Francisco. Chancellor [Julius] Krevans was a good friend of Willie Brown. He got us together. We really hit it off on a one-on-one basis. I think he respected me for standing up to him, not the other way around.

Lage: It sounds as if he would.

Gardner: Yes. I think he was persuaded, by the time the divestment fight was over, that my views in this matter had been arrived at fairly and were not a function of anyone pressuring me or my feeling ideologically unsympathetic to the condition of persons in South Africa. I think he had concluded that my view was genuine, and I was willing to stand up for my views. We've gotten along ever since.

Lage: Have you been friends?

Gardner: Yes.

Lage: Do you see each other often?

Gardner: We really got along. I don't see him too much now. You know, he's busy and I'm busy. But we would see one another. Any time I called, he would take the call. I always found him to be a person of his word, never otherwise. I like him.

Lage: Well, he's certainly a lively and interesting person.

Gardner: He's lively, he's fun to be with. I have a good time being with him. So instead of what I had been told would happen, just the opposite happened, which I thought was very interesting.

Lage: That's great. It actually gave you more of an ally, it sounds like.

Gardner: Absolutely. He was a great help to us throughout. That was good, you see, because I was already friendly with the governor, and now I was friendly with the speaker of the assembly even though our world views were markedly different.

Lage: That helps.

Gardner: Yes, helps a lot.

The Fighting Words Doctrine

Lage: One other thing: I don't know if you see this as related, but the fighting words doctrine had some relation to diversity on campuses, I would guess.

Gardner: Some. It arises out of that. When was that, by the way?

Lage: '89.

Gardner: Well, about that time throughout the United States, a number of universities--University of Michigan, other places--were adopting what were called speech codes. That is, efforts to make their campuses more civil places, to make them more comfortable for people, to avoid put-downs of people based upon their race or their gender or whatever. This was going on all over the United States.

The Berkeley chancellor had issued a speech code. The chancellor at UCLA had issued his own speech code, not the same as at Berkeley. This is one university, right? Had one governing board, was one legal entity. So if you're going to be sued, it's the university, not the campus, that's going to be sued. The Regents had never been involved with such codes. The president's office had not been involved either. The chancellors were under pressure to do something, and they did it.

Lage: Did they bring it up at the chancellors' meetings?

Gardner: No, it was just done. Then Santa Barbara was under pressure to do it, and Chancellor Uehling came to me and she said, "I'm just going to have to issue a speech code statement here, and we have one drafted." I said, "No, we're not going to issue nine different speech codes and then try to differentially enforce them."

Lage: And defend them.

Gardner: And defend them in one university. I said, "We're going to put this on the agenda for the next chancellors' meeting," which we did. I said, "In my view, we can't have nine different speech codes. We're going to have to have one. Now, each campus needs to administer it, but there needs to be a single policy, if there is to be one at all." And then we had a tremendous debate, tremendous debate, not about having one rather than nine codes, but about what the code should be and even if we should have a code.

Lage: How did people line up, and what were the issues?

Gardner: Chancellor Atkinson, if I recall correctly, thought that we ought not to issue anything, that whatever we did would cause more harm than help, that we would have a hard time constructing one that could withstand a legal challenge, and that we would be better advised not to get into this business. Other chancellors agreed with him. Chancellor Heyman said, "We ought to be pushing the legal envelope on this." He took just the opposite view.

Lage: He's a lawyer.

Gardner: Just the opposite view. "Even if we lose in court, we ought to be pushing the law, pushing the envelope on this, and I believe we should go out as far as we can." He was pushing for that. Chancellor Young was in between, and everybody else was somewhere around all those three. And we had very vigorous debates.

I also had extended discussions with our legal counsel, Jim [James E.] Holst. He was very helpful on this.

Lage: I would think you would have to be quite a specialist to really understand the ramifications of this.

Gardner: Oh, he understood it. He had been in touch with counsels at other universities around the country, so he was up to speed. I was reluctant to issue any statement, because in my opinion, it ran the same risks that I thought Atkinson had identified. I tended to agree with him, frankly, but concluded that a more limited speech code might be issued if it were confined to

already established judicial interpretation. For example, fighting words are not protected forms of free speech, just like shouting "Fire!" in a theater is not protected. Fighting words are not protected.

Lage: That's been determined?

Gardner: It's been determined by the U.S. Supreme Court.

Lage: Of course, it's defining what a fighting word is, I suppose.

Gardner: Yes, the Supreme Court had sought to define it. It had to be directed by an individual against a specific individual. You couldn't just shout to a crowd; it had to be to an individual. There were ways of defining it. I said to myself, That's as far as I'm going to go, if we're going to do it at all. I had the general counsel draw up a very limited code for our consideration, and I took it to the chancellors. We had a tremendous fight on that. Back and forth.

The last meeting on it was at UCLA, Wednesday night before a Regents' meeting. They were all over the map. I had made the mistake of raising this issue toward the end of the evening after they had all had a lot of wine, and it was a disaster.

Lage: Oh! Any fighting words?

Gardner: Yes, a few fighting words. [laughter] I said, "Okay, thank you very much, there's no consensus on this issue, I'll do what I think is best."

The following month, I issued a statement in the form of amending the Student Code of Conduct. This action then superseded the campus-issued codes.

Lage: Did it get discussed at the Regents' meeting?

Gardner: No, I just issued it. There was no way it could be discussed at the Regents' meeting.

Lage: Because of the chancellors disagreeing?

Gardner: No, just the whole--you try and draw such a code up by committee! Nothing will ever happen. And moreover, it was within my portfolio, within my purview of authority to act, because I was authorized by the Regents to modify the student code of conduct. I didn't take it to the board; I didn't have to take it to the board, and taking it to the board would, in my view--I don't know what would have happened if I had taken it to the board. All I

know is that it would have been an issue for a long time, and I didn't want to get us into that. I didn't want to have another mini-divestment fight. And I thought we could issue this and accomplish our purposes.

So we drew up the code. It was severely limited as to the speech that would be proscribed. It fit all the definitions of the court for fighting words. It was a much more limited document than those that had been issued at other universities.

Lage: Even more than UCLA's?

Gardner: I don't remember specifically, I really don't, but certainly more than what Barbara Uehling was going to issue.

I remember discussing this with the general counsel, and he said, "This code can only apply to issues of race, sexual preference, national origin, and so forth." I said, "What about political views?" "No, you can't include political views," he responded. I said, "What is our objective? Our objective here is to prevent Student A from making life so miserable for Student B that Student B just can't continue with his or her studies here. That's really what we're trying to prevent. Someone in the dormitory, Student A going up to Student B, who may be of a particular religion or a particular race or particular whatever, and so harassing them verbally with fighting words that the person just can't function any longer as a student and they get driven out. We're trying to prevent that.

"So you mean to tell me that a person who holds certain political views can't be harassed out, just as easily as a person of a particular race?" He said, "Well, I don't think we can--" I said, "I'm not going to issue it without including political views in it." So we included it, against the advice of counsel.

Subsequently, there was a Supreme Court decision on a university, I forget which one, in the East, that had omitted political views as one of the objects of these fighting words, and the court struck it down because it had omitted political views. General counsel came back and he said, "Well, you were right, I was wrong." [laughter]

Lage: Interesting.

Gardner: Yes.

After I issued it, there was some criticism, but generally the code was well received. I think people understood it. We tried to be as clear as possible. I went through the language,

every word, myself, as well as the cover letter that went out. It went very smoothly compared with how it had been received around the United States in other places.

Lage: Did it go to all the students?

Gardner: Absolutely, it was published. We issued a press release spelling out what we were doing, issued it, everything else. Nothing private about it.

Lage: But it was also a direct communication? You referred to a letter.

Gardner: Oh, a letter to the chancellors. Their job was then to get it out on the campuses, but it was very clear, very open, completely open what we were doing.

The ACLU then wrote us a letter calling out their criticisms of it. We wrote them back, answered every question they raised. I understood that there was quite a debate going on within the ACLU as to whether to challenge this or not. We received two letters indicating their intention to litigate if we didn't modify it in certain ways. Well, we did not modify it, and we explained why we were unwilling to modify it in ways that they were proposing.

The result was a stand-off within the ACLU itself and a decision made not to litigate. So that was the outcome.

Lage: What kinds of problems were occurring that led to this? Was it widespread, this kind of harassment?

Gardner: I would not say it was widespread, but there was a perception that this was going to be a problem, and it was occurring everywhere in the country. Therefore, I think if it weren't to occur in other places in the United States, it wouldn't occur at the University of California, because I didn't think we had any real problem.

Lage: There weren't some highly publicized events?

Gardner: No, there was no incident at Berkeley or UCLA or San Diego or any campus that provoked it. It was what was occurring elsewhere, and then students who were committed to this took the issue up within the University of California, and that's how it came about.

Lage: I see. And does it stand today?

Gardner: Yes.

Lage: Very good.

Affirmative Action Revisited

[Interview 9: December 5, 1995] ##

Lage: Last time we talked about affirmative action and divestment. Today we were going to talk about academic program planning, planning for new campuses, and the budget process.

Gardner: One more comment on affirmative action.

Lage: Okay, good.

Gardner: I have been reflecting on the Regents' action of July 1995 to take out of our criteria for evaluating applicants for admission to UC any reference to race whatsoever, or to gender, I believe.

Lage: Yes.

Gardner: And I have already commented upon my general reaction to that. But there was one other thought that occurred to me, and that is that it seems to me that the Regents were shooting at the wrong target here. There's really nothing wrong, indeed I think everything right, with the affirmative action policy the Regents adopted in 1989, and, with some exceptions, the way in which it's been administered since throughout the university. That policy seemed to me to be sound, and the administration of it seemed to me to be faithful to the policy, except in some very exceptional instances, which were corrected whenever they were discovered. But the exceptions don't invalidate the integrity or coherence or appropriateness of the policy itself.

So it seemed to me that to be attacking the university's policies and practices was unhelpful. What they should have been attacking were the policies and enforcement arms of both the state and federal governments, especially the federal government's. The enforcement agencies, which assume you're guilty until proven innocent, are what have been driving much of the practices in affirmative action around the country, including the practices of the universities.

The Office of Civil Rights and others like it will come in-- and I experienced this firsthand at the University of Utah and at

the University of California--with what are referred to as goals and timetables, but which are interpreted by many people in the enforcing agencies as surrogates for quotas. It has been these agencies of government that have been pressing the universities to conform their admissions practices, their personnel practices, purchasing, and contracting practices to what are ostensibly goals but which are really quotas--and on pain of losing all federal contracts.

And it is that insidious and unrelenting pressure on the institutions that has mostly tended to drive whatever abuses have been observed. In that sense, it seems to me to have been a misplaced expression of frustration on the part of the Regents to attack their own policy, while remaining silent about the federal practices that drive so much of the board's concerns. That's my view of it.

Lage: That's a good point that I don't think others have made in this respect.

Gardner: They were shooting at the wrong target.

Lage: But the Regents seem to have been more concerned with the appropriateness of considering race and gender as a factor at all, than in the quota question.

Gardner: Well, I wonder whether they really were or not, because in the first instance, neither gender nor race in and of itself is sufficient for purposes of determining admission. It's just one part of the admissions process, and certainly not a controlling part. It was used not to subordinate every other criteria, but merely to support UC's effort to have a student body that is somewhat characteristic of the state's population, and that encompasses all aspects of modern California life. In my view, such a goal is consistent with what the University of California has done historically. Nothing inconsistent about it at all.

Lage: They had the policy of a system of preferences for years. I am thinking of the consideration traditionally given to students from rural counties.

Gardner: Exactly. For years, and even some preference for alumni, children of alumni who lived out of state, for years. So it seems to me that our affirmative action policy was not inconsistent with the spirit of the university's sense of responsibility when it came to serving all the people of the state, not just some of them. I think the Regents have been frustrated, not so much because of the university's policies as by some university practices that have been driven by overzealous

enforcement on the part of federal agencies. But instead of attacking the causes, they attacked the consequences.

Lage: You had mentioned last time that Berkeley had a situation where they gave for a time automatic admission to all eligible students from targeted minorities. Then I saw a reference in my notes to a similar practice at UCLA, through 1988. Were you aware of that?

Gardner: This was the practice for one or two years in the mid-1980s at UCLA, but UCLA corrected the practice itself, and I arranged for that practice at Berkeley to be stopped, as noted earlier.

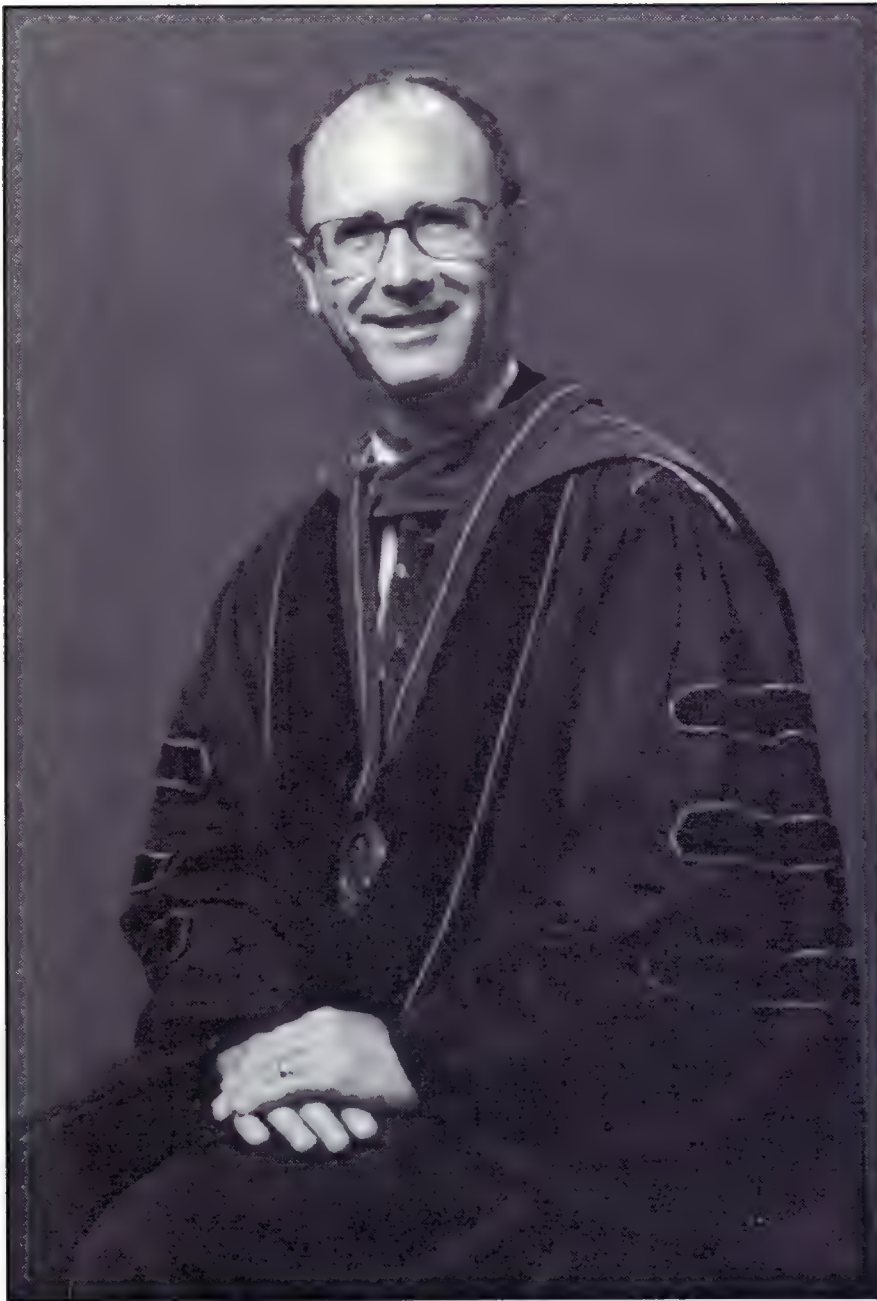
Lage: Okay. Anything else you want to add about the Regents' decision of last July?

Gardner: No, that was the only thing. It just seemed to me that the concerns they have are much more a reflection of the way in which the federal government has proceeded in this matter than the way in which the University of California has proceeded in this matter. Too bad. The board's action of July '95 will create problems within UC for years to come, and unnecessarily. It could have been avoided and should have been avoided. Very sad.



Libby Gardner, 1985.

Photographed by David Powers



David Gardner in Benjamin Ide Wheeler's academic robe,
ca. 1984.

*Photographed by G. Paul Bishop, Jr.
Courtesy University Archives,
The Bancroft Library*



The family at Flathead Lake, Montana. Top: Libby and David Gardner, August 1990. Bottom, left to right: Marci, Lisa, Karen, and Shari Gardner, July 1982.



Left: Libby and David
Gardner at Blake
House, 1986.

Below: The Gardners
with Oski, Cal Band
party, October 1989





In the Blake House garden, ca. 1986. Left to right: Libby, Shari, Karen, David, Lisa, and Marci Gardner. Photographed by Barry Evans Studio



Former UC presidents and their spouses, Blake House, 1986. Left to right: Harry and Ruth Wellman (acting president 1967); Clark and Kay Kerr (president 1958-1967); Charlie and Nancy Hitch (president 1968-1975); David and Libby Gardner (president 1983-1992).

XII LONG RANGE PLANNING AND THE UNIVERSITY BUDGET

Improving Undergraduate Education

- Lage: We were going to talk about academic planning, facilities planning, and planning for new campuses, but first I wanted to ask you about your role in efforts to improve undergraduate education on the campuses.
- Gardner: I had always been interested in the quality of our undergraduate education, and especially the educational experience of our freshman and sophomore students; and I was concerned with the degree of attention that we accorded those students in the university compared with students enrolled as juniors or seniors, or as graduate students, or in our professional schools.
- Lage: What drew it to your attention?
- Gardner: Well, just my own observations within the University of California for many, many years and having followed these tendencies and trends nationally. This was not an issue about which I was uniquely concerned. The concern was widespread and was focussed primarily on undergraduate education in the large research universities. In my view, it was not only a criticism that needed to be dealt with, but it was a criticism that needed to be taken seriously. So I tried to do that.
- Lage: Did the Smelser report grow out of that concern?
- Gardner: Smelser's report grew out of that. I asked Professor Neil Smelser to take a look at this issue. His committee, the UC Task Force on Lower Division Education, 1986, offered a number of very good suggestions. I also sent a letter out, I forget when it was, 1990 or earlier--maybe it was a follow-up on the Smelser report, I don't recall--wherein I asked that lower division students be taught in smaller class settings with more senior

professors involved, even if it meant some juggling of the curriculum, the way in which courses had been patterned, and class scheduling. And the response to that, which was noncoercive--it was a suggestion only--was very positive from the faculty, which pleased me greatly.

The result was that thousands of freshman and sophomore students at UC have had and continue to have the opportunity to be taught by senior members of the university's faculty in small seminar-like classes.

Lage: Did you sweeten the pot in some way, to encourage the lower division seminars?

Gardner: No, I didn't sweeten the pot, nor was there any coercion at all. There was no implication that one's performance review would be affected by it: there was none of that, implied or otherwise.

Lage: So you think the faculty were ready for it.

Gardner: I think the faculty was ready for it. I think most of them, by and large, tended to welcome it. And the response was very heartening.

Lage: Is there some tension, though, with a research-minded faculty--tension between their interests in research and this obligation to educate undergraduates?

Gardner: I know some faculty members who are very distinguished scholars and superb teachers. I also know some faculty members who are superb teachers and less distinguished scholars, and some scholars who are famous people but are best in seminars rather than in undergraduate lectures, if I may put it that way. So it's hard to particularize from the generalization, but as a general proposition, I would say that in institutions of the kind characterized by the University of California, the dual burden of research and teaching that is assumed by those on the professorial scale is appropriate and is what has given the university much of its distinction. I don't have any apology for that at all. I think it's sound conceptually and sound in practice, for the most part, and the exceptions should be dealt with; the rule should not be altered. Our reward system for faculty members, however, was not as evenly balanced as my remarks just suggested.

Lage: The criteria for promotion?

Gardner: Yes. There's a tilt to reward persons who have been more productive in terms of their scholarly work, their research, that

is, their published work than for their teaching. What we mean by publication of one's research, of course, is that the faculty members are teaching one another worldwide. That goes with the territory. But there has developed over time a tendency to accord the research aspect of one's work more emphasis when being reviewed for merit increases or promotion than the quality of one's teaching. At the University of California, for example, those who aspired to the rank of professor step VI were required to demonstrate that their scholarship enjoyed an international reputation for its excellence. The policy was silent about teaching excellence, however.

In '89 or '90, I forget which year it was, I asked that this matter be reviewed. The mere fact that we were reviewing this policy was the object of considerable discussion and some criticism within the University of California. The review took two years, the faculty looked at it very seriously in spite of the criticisms that we were looking at it at all, and proposed a modification.

Lage: How did you propose this? Through the Academic Council?

Gardner: Yes, it came through the Academic Council, and with Bill Frazer quarterbacking it, as it were. Each campus looked at it, and then the Academic Council looked at it, and a proposed change in language for professor step VI and above was made and was adopted, so that excellence in teaching was taken into account, as well as excellence in research.

Lage: Very interesting.

Gardner: The spirit of the revision was clearly positive and constructive, and I thought the faculty was very responsible in its handling of that matter.

Lage: Is this something that could be different on different campuses?

Gardner: No. The policy was universitywide as to its effect.

Lage: What were the objections to making the change?

Gardner: Well, it was alleged that we would be diminishing the scholarly reputation of the university if we placed a heavy teaching burden on those faculty members seeking professor step VI and that after all, the university's reputation is built by its research, not by its teaching, and so forth.

Well, I understood that while internationally recognized distinction in research was a condition of advancement to step VI

and beyond, for us to take no account of superb or excellent teaching in our policy at that level was a serious oversight. Its omission could be construed to run counter to the link we always made between teaching and research, and, in the long run, would weaken our case for both to be funded by the state. I thought the principle was one we ought to look at afresh. The faculty did, and we obtained a very constructive change.

It was the Smelser report, the letter to the chancellors, which was widely noticed at the time and which resulted in some very positive responses from members of the faculty, and the change in our personnel policies to include teaching at the professor step VI level, that helped focus UC on much improved teaching for our freshman and sophomore students. And finally, an all-university faculty conference in 1992 which focussed on undergraduate educational reform in UC. All of these initiatives were non-coercive rather than coercive.

Lage: Were there members of the legislature pressuring you in this direction?

Gardner: Yes, but that was nothing new. They had been pressuring us for years.

Lage: Do they tend to pay more attention to issues such as this rather than to research?

Gardner: Yes. They were pleased with these changes in initiatives, however. After all, it's the children of their constituents who are being taught. Or their own children. We were told more than once about the unhappiness of legislators, about what they thought was poor teaching and excessive use of teaching assistants, alleged indifference toward the undergraduates, and so forth.

Lage: Are faculty workloads, teaching loads controversial?

Gardner: Oh, that came up, faculty teaching workloads. I had to defend that time and again. As the state quantifies the teaching loads, it does not include independent study. That's unfair for starters. Secondly, these measures take no account of the teaching that goes on between faculty members and graduate students, in the research they're pursuing together or the work associated with writing theses or dissertations. The state's measurement of teaching loads takes no account of that at all, and, thus, grossly distorts the real time faculty members spend on teaching.

Lage: They just count the hours in the classroom.

Gardner: Yes, as though we were an elementary school. So I always had that struggle, and always made an effort to try and educate the legislators who by and large, once they heard how it worked, were a lot better about it than they were before. Nevertheless, there was that pressure, and there is still that pressure.

Lage: Was this an issue that John Vasconcellos [Chair of the Assembly Ways and Means Committee] was concerned about?

Gardner: Oh, he would express it from time to time, but not with the degree of vigor that some others did.

Lage: Any that you remember in particular?

Gardner: No, it was a general condition. John was pretty well informed about these matters.

Lage: Were the Regents concerned?

Gardner: No, this didn't come from the Regents. This was from alumni, parents, legislators, some students, and even some faculty members within the university who felt that we had become unbalanced in our responsibilities.

Lage: Anything else we should talk about on this topic?

Gardner: Only that I think we made some modest improvements. They were not dramatic, but they were certainly better than nothing, and, in my view, yielded some tangible and enduring benefits to UC's freshman and sophomore students.

Planning for Future Enrollment Growth

Lage: Let's turn then to efforts at long-range planning. What did you inherit in this area; what was the state of planning under the Saxon administration?

Gardner: As I moved into the presidency in 1983, it became clear to me that some serious long-range planning needed to be undertaken. But to do so required us to determine the levels at which the state of California was willing to fund UC. Irrespective of the state's attitude, it was clear to me that pressure for enrollment at the University of California was growing, mostly because the number of students in the eligible pool, the top 12.5 percent graduating from high school each year who were actually choosing to come to the University of California, was rising.

Within the 12.5 percent, we had historically enrolled maybe 5 to 6 percent. As I monitored this, in '83, '84, '85, and '86, that percentage was rising every year. By the mid- to late 1980s, we were up to 7.4 percent of the high school graduates enrolling in the University of California, not our historic 5 to 6 percent. That, together with massive in-migration, caused a double-barrel hit on our enrollment projections. And as I contemplated our enrollment projections beginning the early part of the next century, it was clear that our growth would accelerate well beyond earlier estimates.

In 1987, I started the process internally to take a fresh look at our long-range enrollment growth. At the meeting of the board in 1988, I forget exactly when, September, I think, we presented those projections, and all of the thought that went into those, and the criteria that we employed in arriving at them, and indicated that in our judgment, roughly two-thirds of the growth could be accommodated on our existing campuses, and roughly one-third would by the second decade of the new century need to be accommodated on new campuses. The alternatives were either to allow our existing campuses to grow well beyond approved levels or to reduce the percentages of high school graduates who would be eligible for admission, from 12.5 percent to a lower figure.

I indicated that the first new campus should be ready to go the latter part of the 1990s, the second one in the early 2000s, and the third one about a decade into the next century.

I was asked by the board to explore these possibilities with the legislature. In principle, the Regents agreed with the general proposition that we should not grow our campuses beyond the carrying capacity of either the community in which they were located, or the carrying capacity of the campus itself, and we didn't want to do any real damage to the educational process by allowing excessive enrollments on any of our campuses.

Lage: Did this all start with a look at each campus?

Gardner: Well, yes, and no. The enrollment process proceeded from the campus to my office and to the Regents, and I asked each campus to project its enrollment growth for the next twenty years: lower division, upper division, first stage doctoral, second stage doctoral, what new professional schools, et cetera, and give me their enrollment projections in terms of the optimal enrollment situation for them for the next twenty to twenty-five years. Which they did.

I then had to reconcile the sum of those to what we thought the enrollment would be for UC as a whole and for each campus as well. And when I say enrollment, I don't just mean entering freshmen; I also mean those transferring from the community colleges; what size should our graduate program be; what proportion of undergraduates to graduate students should we have for the university as a whole and campus by campus; what rate of college-going do we project for minority students, especially those at the lower levels of eligibility--at what rate should their eligibility be expected to grow, if at all? So this is a very complicated matter.

Lage: Who does the figuring?

Gardner: The budget and planning people in my office, working closely with the campuses and interested agencies of state government. I asked them to make conservative estimates, not overly generous ones. I asked them to project the eligibility rates for Hispanic and black students and to calculate their increase in eligibility very modestly. In other words, I did not want to be accused of exaggerating our enrollment estimates.

Lage: Was that because that was your belief?

Gardner: That's what I thought would happen. I don't think that rates of UC eligibility for historically under-requested minorities will increase overnight; I think it's going to be slow but steady. I also said I don't think we're going to continue to draw 7.4 percent of the high school graduates as we did at the time, so figure it in at some lower percentage.

Lage: What made you think that?

Gardner: Well, I didn't think the trend would persist, and other things would come into play.

Lage: What did you attribute the trend to?

Gardner: Well, our fees were stable, and the reputation of the University of California was growing, and there was very good feeling about the institution, and so the students came in larger percentages.

Lage: And costs elsewhere were going up too.

Gardner: Costs elsewhere were going up. I knew that our fees wouldn't remain low forever, that there would be some interruption in state funding at some time and fees would rise. We had good years and bad years. So I said, "Modify it, take it down." I think they used 6.8 or something like that, I forget what it was.

The final figures were determined only after having reconciled the enrollment projections for each of the campuses with their estimates of what they thought would be optimal, within the context of enrollment for the university as a whole. And this required some hard decisions. What proportion of our overall student body, taking the University of California as a whole, should be at the graduate level; and so forth?

Lage: This was determined centrally rather than on each campus?

Gardner: Yes. Although informed by the advice of each campus, you could not simply take the sum of their requests. For example, Berkeley was about 32,000 students at this point, and in my opinion, that was well beyond the capacity of the Berkeley campus to carry; it was aggravating relations with the city in terms of traffic congestion and policing. It was very difficult for students to find housing. I had a long visit with Mike Heyman, and we both agreed that Berkeley should be brought back closer to the 27,500 which was consistent with UC's earlier goals for Berkeley under Kerr.

Lage: Was that popular on the Berkeley campus?

Gardner: What happened was that Berkeley's percentage of graduate enrollment was not as high as, say, Michigan's. I said to Mike, "I wish to bring Berkeley into line with the other major research universities of the country in terms of the proportion of graduate to undergraduate students, and although we would be decreasing the number of undergraduates, by increasing, albeit in smaller numbers, the number of graduate students at Berkeley, the budget will not be adversely affected even though the overall number of students enrolled at Berkeley would have declined." That would be so because internally, we allocate funds on the basis of levels of instruction. So let's say that at the freshman level it's a one, while at the upper division level, the junior and senior level, let's say it's a two, and at the doctoral level it's an eight. In other words, for every freshman it costs us, say, \$1; for every junior it costs us \$2; for every doctoral candidate it costs us \$8.

So by increasing the graduate enrollment modestly, and by significantly reducing the undergraduate enrollment, Berkeley's budget was left unimpaired. This is how we got the numbers down without objection from Berkeley. Then I worked a deal like that or in some other fashion with all the campuses, so that we were able to get the full support of the chancellors, and they were very supportive of what we then proposed to the Regents in 1988.

Part of the proposal was that the campuses would develop long-range development plans. They would take our enrollment targets and fashion an academic program within that size-- professional schools, degrees, residence hall requirements, rates of faculty recruiting, recreational facilities, roads, support services, what their building needs would be, what the campus would look like, whether the boundaries of the campus were sufficient or not. They would have to negotiate with their host city and host county and other interested parties. This is a very difficult, very complicated process. We undertook it in 1988 and completed it in 1991.

Lage: I understand that the Riverside campus was unhappy with the enrollment target developed for them.

Gardner: They were very unhappy. They wanted more students in the short run than I was willing to agree to. They had simply wanted to grow the campus at a rate that I thought was excessive, year to year.

Lage: They wanted to reach the target faster.

Gardner: They wanted to reach the target more quickly, and I thought that was unwise. So we had some disagreement on that issue. I finally went down and met with the deans and vice chancellors and the chancellor on this matter as well. As a result, I made a modest adjustment in their projections.

Lage: Doesn't the Riverside campus have more trouble attracting students?

Gardner: Not now. They did at one time; I don't think they do now. But I was happy to see them grow, I just didn't want them growing at rates that I observed when I was at UC Santa Barbara. It would not have served them well.

Now, at Santa Cruz, for example, we held the enrollment to a level that the city and county felt comfortable with and which was large enough for a critical mass of faculty to be brought together so the campus could be fully viable as both a research as well as a teaching institution. In other words, we worked with each campus according to its individual circumstances.

Lage: With its own special circumstances.

Gardner: With its own special--I mean, I worked with the chancellors individually on this.

Lage: It sounds like you were very hands-on on this one.

Gardner: Yes, on this one, I was hands-on. I really worked hard on that. I thought we did very well. I mean, it's not easy in this state to develop long-range plans.

Lage: Because of budget problems, or--?

Gardner: No, we didn't have the budget problems then. It was because of the no-growth mentality, the "not in my backyard" mentality, campuses having aspirations that, if fulfilled, would diminish the aspirations of another campus, so I had to balance all that out. And this was a major task.

Lage: It certainly sounds like it.

Gardner: The key was projecting our size well into the second decade of the coming millennium, and then particularizing the implications of that by campus, within the overall framework and policies of the board.

Lage: The university, under the master plan, is supposed to make eligible for UC admission the top 12.5 per cent of high school graduates, but in the Regents' meeting minutes it was mentioned several times that we were actually making the top 14 per cent eligible.

Gardner: I did not know that fact for a couple of years and then discovered it. I came to believe it was a fact that was deliberately kept away from me. Once I learned about it, we began to bring it down; we took steps to bring it down in the latter part of the eighties.

Lage: Because that would make quite a difference in the numbers.

Gardner: Absolutely. I thought we could not, as we were planning the growth of the university, represent that only the top 12.5 is being made eligible, when in fact, we were making the top 14 percent eligible. We went to the Regents two times during my tenure to change the A to F requirements (that is, the high school courses required for admission). We made changes that tightened up on it, and then brought the 14 percent down closer to 12.5.

Lage: So that adjustment was made over the years.

Gardner: Yes. I don't know what it is today, but that's what we did then.

Now, with respect to this, I would say the chancellors and the campuses responded in a very responsible way, and we got all these long-range development plans which had to go through the

county planning commissions, the city planning commissions, the city councils had to express their views, and all the neighborhood associations, all the special interest groups; the campuses then had to work with my staff and then with me; we would finally get approval by the Regents on my recommendation.

And so it was no small task to plan. When you planned, you would be thinking, Well, do we want a school of law here, or do we want a school of public health, or do we want a vet school, or what is it that we want? It forced the campuses to think ahead, and that was a very positive exercise within the University of California in the latter part of the 1980s and the very first part of the 1990s.

Response to the Plan for Three New Campuses

Gardner: In Sacramento, however, after the Regents' meeting on growth, I made the rounds of several legislators. In fact, I had a dinner party for the leaders of the legislature in Sacramento and laid this whole plan out. They complimented us for our planning, they thought it was done exceedingly well, appreciated having been informed, but said, "Now, how are you going to pay for it?" We said, "Well, we thought the way we have been paying for UC the last 125 years. After all, all we're trying to do here is to assure the coming generation the same benefits of a UC education that previous generations had enjoyed."

The most friendly comments were, "Well, this is well done, we wish the state would do this kind of planning, but it's going to be hard to fund it." At the other end of the spectrum was a legislator who said something about UC wishing "to expand its empire."

Lage: Where were you getting the unfriendly, or pessimistic, responses?

Gardner: I would say mostly from the Democrats. I think they saw what was coming; namely a crunch on state funds for K-12, whose enrollments were going up dramatically, along with the health and welfare programs of the state, and for the prison population, which was also rising. I think they just weren't anxious to hear about the University of California growing, because they knew then that the California State University and the community colleges would also be growing, even though they had not done their planning at the time we had done ours. So there was this concern.

It was the first hint I had had of a changing climate in Sacramento. In effect, we were told that, well, somehow, everybody else has greater claim on state funds than the university and higher education in general, i.e. the prisons, K-12, health, and welfare. That was the first real hint, and this was 1988.

Lage: Was this the first indication you had had that you were--

Gardner: First I had had. There was no hostility toward us at all; it wasn't hostility really, except there was some feeling that we had done better budgetarily the previous five years than any other part of state government and that it was someone else's turn now.

Lage: But the use of the term "expanding the empire" seems a little hostile.

Gardner: Well, not in Sacramento terms, [laughs] but it's not a friendly comment, either. And that was one end of the spectrum. That was not the general response, but we were getting it for the first time. One of the legislators asked what the cost of a new campus would be. I pointed out that to build its first and most essential facilities and offer a reasonable and balanced academic program would cost between \$300 to \$400 million. This was in 1988 dollars. He said, "How do you expect us to get that?" I said, "I don't know. How are you going to build the next cloverleaf on the freeway, which costs at least that much?"

Lage: When you put it that way, the cost for a new campus seems minimal.

Gardner: But the way we proceeded put us at risk. That is, no one else was doing this kind of careful, systematic, long-range planning, so we were very much out front. Moreover, we were explicit about what funding implications it carried for the state, we weren't subtle about it at all, and that forced people to be perhaps more alert to the fiscal implications than might otherwise have been the case if we had instead chosen to finesse it.

It's a real commentary on how politics and bureaucracy tend to work. I was proceeding on a rational grounds. I was proceeding on rational grounds with a well-considered, well-reasoned proposal. No one took issue with any of the facts or the substance. But it was less of a political document than they were used to dealing with. In retrospect I should have presented it within a context that took more account of the politics than I did.

Lage: Less up front?

Gardner: Yes.

Lage: But how might you have been more political?

Gardner: Any number of ways.

Lage: Instead of kind of expecting them to consider it rationally?

Gardner: Yes, yes. I made a tactical error. On the other hand, it did kick off a major planning effort by the California State University and one by the community colleges. It did provoke a dialogue about the future of higher education in the state. And the most important thing, of course, is that we accomplished our internal long-range planning, which we badly needed to do in any event, such that each chancellor had some sense of confidence about where the campus was going; and we reached an understanding between the president's office and the Regents and the campuses about how each would develop, and the budgetary implications that flow from that. So internally it was a big help, even though externally we had our problems. This was a very complex task, very difficult to accomplish and very time consuming. It was also fraught with internal and external politics and issues of intercampus competition. But we did it.

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Lage: People brought up other solutions to the projected enrollment increases, other than building new campuses. For instance, relying more on the community colleges for lower division education, and increasing the enrollment numbers at some of the existing campuses.

Gardner: Well, with respect to the community colleges, I said, "Look, if the state wishes to change the numbers that they have historically enrolled at CSU or UC, all they have to do is drop the percentage of high school graduates who would be eligible for those respective institutions. That will do it."

Lage: Change the Master Plan--

Gardner: Change the 12.5 to 10 for UC, for example, and for CSU the 33.3 to 25 or 27. If you want to shift students from the four-year institutions to the community colleges, then shift them. Well, of course, no one wants to do that explicitly, because they would give the impression of truncating educational opportunity and shutting people out who otherwise would have been enrolled, and it would have a disproportionate and adverse effect on minority

students, and so forth. So none of the legislators wanted to do that, at least explicitly they didn't.

I said, "Look, if you don't want to do that, you can try and persuade students to go from the four-year institutions to the two-year institutions. You do that by marketing the community colleges, be encouraging that option in your public statements, making sure the community colleges' programs are attractive to students who may be transferring to the senior institutions, and so forth. That's another way of doing it.

"Another way of doing it is for, say, the University of California to take a student who is fully eligible for admission to UC and say, 'Look, we really would like to have you here, but we would like to have you here as a junior, not as a freshman. If you agree to come as a junior rather than a freshman, then you enroll at Community College X, and when you're finished, if you've taken the following courses and have a certain grade point average, you will be guaranteed admission to Campus A or Campus B or Campus C.'" So we did some of that.

Lage: You did do it?

Gardner: Yes. I said, "Now, beyond those three approaches, the only other thing you can do is hope that the students choose to enroll in the community colleges rather than UC. You can't force them to. It's a free country. And we admit every UC-eligible student to one of our campuses. You want us not to do that?"

Lage: In what venues would you be making these arguments? Privately? In legislative hearings?

Gardner: Both. I would say, "You know, you're not thinking about this logically. Student A wants to go to UC, Student A doesn't want to go to a community college. As long as they're eligible, you expect us to take them, right?" "Right." "So how are we going to increase the enrollments in the community college if Student A still wants to go to UC? You've got to either reduce the UC eligibility pool and/or do some of these other things." And they had never thought about it like that. They just think, Well, we'll shift them to community colleges. Well, how do you do that? So I worked to get them straightened out on that.

Then in terms of, Well, why do you have to build new campuses? Why don't you just grow the existing ones? I said, "We are growing the existing ones, except for Berkeley and UCLA, which are not growing. Irvine we're growing, we're growing Riverside, we're growing Santa Barbara, we're growing Santa Cruz, we're growing San Diego, and we're growing Davis. We're not

growing in any appreciable way UC San Francisco, we're shrinking Berkeley, and we're keeping UCLA at its present enrollment. So we are growing. We're only talking about the residue of students who can't be accommodated on those campuses."

"Well, why don't you grow the existing campuses some more?" I said, "Do you want Berkeley to be 40,000, 45,000 students? Go talk to the mayor. Do you want Davis to be 40,000 students? Not in that small town we don't. You go talk to the mayor of Santa Cruz if you want them to go from 15,000 to 25,000. You go talk to them."

Lage: They originally projected 27,500 at Santa Cruz, didn't they?

Gardner: They did at Santa Cruz, but you know, times change. So we were pointing out that, from a political standpoint as well as from an educational one, we thought our enrollment projections for the campuses were just about right.

Then I said, "In any event, if you amortize the capital costs of a new campus over time, it doesn't cost appreciably more to build a new campus than to add to the existing ones. What drives the cost is the enrollment of X numbers of students. That's what drives the cost."

Lage: Unless you think they'll just fit on the old campuses with no new building.

Gardner: If you add 5,000 students at Davis, you're going to pay for 5,000 students at Davis. So why don't you pay for them down in Fresno, or over wherever we're going to go? What's the difference? "Well, the capital costs." I said, "Yes, but those are amortized over time." "Well, uh, that's right, but then the duplicative administration." I said, "There's some of that, but not nearly as much as you think." And I said, "It's really in the end not that much more expensive to build a new campus than to expand an existing one, and there's a lot of reasons not to expand the existing ones beyond our projections." That's what I tried to argue.

Lage: And the responses they gave you, was it--

Gardner: Actually, they came to agree by and large. They actually agreed, but they don't think about it that way. People think--

Lage: They agree but don't make changes--

Gardner: They don't make the connection between how it works and their idea for solving the problem.

Lage: Yes. Wasn't there quite a political interest in the Central Valley in having a new campus there?

Gardner: That was principally a result of my pressing for it.

Lage: Oh, I see. I thought it was partly legislators from that area expressing their wishes.

Gardner: If you look at the state of California, you have the northern part that's not well served, except by Davis. The central part, which is not served, except for Davis. And given the growth in southern California, the fact that we needed one more down there just to accommodate the numbers. And as we looked at the numbers of people least well served in the state by the University of California in terms of an existing general campus, it was clearly the Central Valley. So I'm the one that pushed it to the Central Valley, where I thought it should be. I still do.

Lage: Yes, but you had three in mind, actually.

Gardner: With the first one to be in the Central Valley.

Lage: Did you have any thoughts on the others?

Gardner: I had some thoughts, but they weren't well formulated. One can make an argument either way on that. I hadn't made a decision, we didn't get that far before I left. And then we constituted a task force to choose a site for the first campus. That was in 1989 and the choice of the site didn't occur until, when was it, 1995? It's unbelievable how many obstacles there were to overcome--the public hearing obligations, the multitude of special districts and counties and cities that were in the action, the environmental impact reports, and--

Lage: Must have been an expensive process also.

Gardner: It was fairly expensive, but that was not the problem. The problem was the time.

Now, just to contrast, I was asked in 1987 to serve as an advisor to the newly authorized Hong Kong University of Science and Technology. This was to be Hong Kong's third university. The decision was taken in 1986 to build a new university. Planning got underway in 1987. I was involved in helping them plan for this institution. The doors opened in 1991. Today, 1995, there are over 6,000 students enrolled in that institution, and they've had three graduations, including at the master's level.

Now, here in 1988, one year after the planning year started in Hong Kong for their university, we announced our intention to build a new campus, and it took until 1995 or '94, I forget which, to choose the site. And we wonder why Asia is going right by us economically! [laughter]

Lage: Of course, in the meantime, you had the state budget problems.

Gardner: That's correct, and that raises a number of other questions that we can get to as we wind down here.

Lage: Okay. Shall we say anything else about new campuses, or shall we move to this budget business?

Gardner: But the fact that people say there is no money for it doesn't mean that students won't be coming.

Lage: That's right. I'm not arguing with you. [laughter]

Developing the University of California Budget

Lage: The only thing we've really discussed about the budget process is that first Deukmejian budget and your first discussion with Deukmejian, and a few other budgetary things along the way.

Gardner: Let's see, I discussed my first meeting with UC's budget officers in Salt Lake City before I took office. I discussed my first-year budget and my meeting with Governor Deukmejian.

Lage: Yes. I thought this ["Twenty Months: The University's Budget Story," University Bulletin, February 18-22, 1985] was a fascinating explanation of the whole process. I've never seen it laid out so clearly.

Gardner: It's extremely complicated. We worked on three budgets simultaneously in a state that provides annual budgets, with a legislature that was dominated by one party and the governor of another party.

Lage: So you have the Regents' budgets, the governor's budgets, and then the legislature's.

Gardner: That's right, it's unbelievable. It's a wonder it works at all. [laughter]

Lage: There are a lot of things to consider--it's so complex I hardly know where we should begin.

Gardner: I need to disaggregate it for you.

Lage: Okay, good.

Gardner: We spend about \$10 billion a year. At least when I was there, that's about what it was. \$9.5 to \$10 billion a year, including the three national laboratories we manage for the federal government. UC is one of the biggest enterprises in the world, among the most complex, one of the most important, and one of the most famous. There are 155,000 employees, including the labs and all the medical centers, all of that, 155,000 employees, 166,000 students. It's an enormous enterprise, and unbelievably complex given the range of activities in which we're involved, everything from teaching at all levels, from the most rudimentary to the most sophisticated; the most sophisticated research in the world is going on in almost every field; the work of the national laboratories, which were central, in my view, to the security and defense of the United States. I know people take issue with that, but that was my view. Major health science centers, among the very best in the world. The agricultural experiment stations, agricultural research stations, Cooperative Extension, and the University Extension.

Lage: This is where you get the word "empire," perhaps.

Gardner: Yes, that's probably right. With several ships at sea at any given time, out of Scripps Institution of Oceanography, and our Education Abroad Program in over eighty foreign universities, fifty-some foreign countries. It's an incredible enterprise. The state provided about 26 percent of our budget.

Lage: Of that \$10 billion total?

Gardner: Of the total, if you remove the budget for the national laboratories (almost \$2.5 billion), the university spent \$7.5 billion, and about \$2 billion of it came from the state, so I don't know what the exact percentages are there. But of the \$7.5 billion, about \$1 billion came from the federal government for sponsored research. The hospitals and clinics generated about \$1 billion, and then there were all the self-supporting auxiliaries, i.e., the residence halls, the bookstores, parking services--

Lage: And that's all figured in that \$10 billion?

Gardner: Yes. And there were the costs, not only of teaching, but of administration and all the support that goes with it, libraries,

computer centers, supplies, accounting, audit, information systems, the whole apparatus. On the income side: student fees, and for nonresident students, student tuitions; and private gifts from alumni, corporations, and foundations, income from endowment, and so forth.

So when we're talking about the budget which the president is directly responsible for securing, we're really talking about the state budget, because much of what comes from the federal government comes in the form of student financial assistance, and it's allocated to us according to federal law. We don't have to fight to get it. In terms of research, the faculty members get the research, the administration does not. This research supports the faculty members' work, not the administration's work. So the faculty members get the research dollars. Of course, the administration had to provide the buildings and the equipment and the infrastructure and the general support monies, but the faculty members are the ones who won the research contracts in competition with their peers elsewhere.

In the hospitals, of course, patient fees or government programs (Medicare, Medicaid, et cetera) paid for most of it; the self-supporting auxiliaries, each of the ones that were self-supporting fixed their fees at levels permitting them to be self-supporting. As to the state budget, I had to fight for it and account for how it was spent.

The president, of course, is the one responsible for overseeing all these operations and the total of these expenditures. The president of UC is the chief executive officer of the university in every sense of the term; and it's a tough, demanding, unforgiving, and complicated task.

Lage: That's an interesting perspective.

Gardner: Yes. I allocated almost all the overhead on federal contracts and grants; I would allocate these funds, and I would approve the auxiliaries' budgets, and I would approve the budgets for this and for that, but the state budget is the one I had to fight for, and therefore, that's where most of the politics came into play.

Now, it's also true that even though the state budget is a minority share of the expenditures made by the University of California every year, it is the bread-and-butter share, and it's the share off of which we leverage everything else. So the state's share is the critical share.

Lage: Even though it only amounts to 20 percent.

Gardner: Yes. It's the critical share, because as that slips, the multiple effect on our budget overall is very significant. For every dollar we lose from the state, we're going to lose it some other place in amounts well in excess of a dollar. It's the state's share that we have to preserve. In California, this is no mean task.

Lage: [laughs] Well, give us a sense of the context in California.

Gardner: How it works is that the president is responsible for submitting a budget, a consolidated budget, to the Regents.

Lage: For the nine campuses.

Gardner: For the nine campuses, and everything else that goes along with it. This is the budget that's going to the state for review and action. The Regents do not approve a research budget, they do not approve an auxiliary budget. They do approve student fees and tuitions for nonresident students. They don't approve a gift budget or a budget for patent and royalty income. Either that money flows or it doesn't flow.

Lage: I see, so that's outside this process.

Gardner: It's outside the process altogether, except for the fees and the tuitions which are an integral part of the process, and except for the overhead on federal contracts and grants, which are implicated because almost half of them go to the state; so we have to allow for it. But in terms of the budget's review by the Regents, it's really the state budget that they're looking at, and student fees and tuitions. So the president is responsible for submitting a consolidated budget to the board. All of our operating costs to be funded by the state and from student fees and tuitions are in Budget A; all of our building needs to be funded by the state, or our capital budget, is in Budget B.

Now, Budget B, the building budget, is a list of those buildings that we're asking the state to fund, mostly from bond revenues.

Lage: Not from the ongoing state budget?

Gardner: No. Bond revenues. And the legislature had to submit the bond measure to the people for a vote. So we knew that in submitting the bond issue, we had to sell the people of California. I am happy to say that we never failed in that respect, except one year when we barely lost; but then we got it the next time. But other than that, we never lost a building that we proposed, not one. Didn't lose it to the governor, didn't lose it to the

legislature, and in the end, we didn't lose it to the people. Every single building we proposed was funded.

Lage: Is that because you proposed conservatively, or what do you attribute it to? The climate of the times?

Gardner: We did not propose conservatively, we proposed aggressively--\$200 million to \$250 million per bond issue. We had an excellent planning process within the university; it's a mature, sophisticated process. The people involved know what they're doing. I would calibrate what was politically possible, and then we had to fit it in there. But in terms of the projects themselves, they were well conceived, they were costed out fairly, and the priorities, I think, were not only carefully arrived at, but by and large, agreed to by everyone. So when we went to the Regents with a capital budget for the university, it had been determined by a careful process, and if any chancellor had undertaken to try and persuade the Regents to change the order--

Lage: [laughs] This is what I want to hear about.

Gardner: Or if not in the Regents' budget, then in the legislature's, they would be out of their positions.

Lage: You didn't allow this?

Gardner: We had to have and did have internal discipline on this matter. Otherwise, the whole process would lose credibility and we would also lose politically.

Lage: Was this something that went on at other times?

Gardner: I don't know. That's how I did it.

Lage: How did you reach decisions about priorities for the capital projects?

Gardner: It's very complicated, but we have criteria and so forth, and then if we have problems, we try to negotiate it, and we worked it out. So when we submitted the budget, the chancellors weren't all ecstatic, and they may not have been 100 percent satisfied, but in the end, I think they all thought it was better to accept the total plan rather than trying to pick off something to their advantage. So I never had any of that going on while I was president.

The second budget that we submitted was the operating budget. This is a budget identified by function--teaching,

research, libraries, administration, et cetera--not by campus. You cannot tell from the budget that's submitted how much each campus was going to get. There's no way of knowing that from the format of the budget we submitted.

Lage: But you must have had it in your calculations.

Gardner: Sure.

Lage: But you didn't present it to the Regents in that way?

Gardner: No way, absolutely not.

Lage: Why was that? What was the reason for that?

Gardner: Because I didn't want them getting into that. I didn't want the legislature getting into it.

Lage: Was that a change, or had it been that way before?

Gardner: No, that was consistent with the way it had been. Every president felt the same way about it. You would have real problems if you submitted a budget for each campus, rather than submitting a budget for the university. This is a consolidated budget for the university. No chancellor ever objected to that, no regent ever objected to it, the legislature did not object to it, and it was well established before I came, and the reason was, I'm sure, in terms of my predecessors and my own reasoning as well, was that it was, after all, one university whose budget was being funded, not nine universities' budgets being funded. So that's how it worked.

We would submit this budget to the Regents, they rely on the president to submit a budget that's proper. They never changed it except in the most nominal of ways--put another million here, a million there, you know--

Lage: This is the Regents?

Gardner: Yes. And mostly for affirmative action, or outreach, or student services. Almost no changes for anything else. It was approved in usually twenty minutes. Then it was submitted to the governor and to the legislature.

Now, well before it goes to the Regents, we're already negotiating this budget with the State Department of Finance in Sacramento.

Lage: So you don't wait for the Regents to say what they think?

Gardner: We couldn't wait. There's no way you could wait.

Lage: Do the Regents get deeply involved--

Gardner: No, they do not.

Lage: But what about in committee?

Gardner: No. They would get involved in student fees, tuitions, faculty and staff salaries, and benefits, and that was it.

Lage: Well, those are big issues.

Gardner: Oh, they're legitimate issues for them to ask about. I never had any problem with that.

Lage: But those are the things they would--

Gardner: That's what they concerned themselves with. They wouldn't ask about this program or that program, or UCLA's not getting funded, or Santa Barbara's not getting funded and Berkeley's overfunded or whatever. None of that went on.

They were very responsible in handling the budget. I never had any concern at all, nor any criticisms. I thought they did a good job of that.

Lage: In building this budget that goes to the Regents, what are the variables? So much of it, other than program improvements, seems determined by the enrollments and the fixed costs.

Gardner: There is a lot of room for discussion. I mean, a computer could not allocate this budget. But the budget starts--let's say this is December, 1995. The budget for the '96-'97 year would have been submitted to the state by last November. The budget people in my office would have been working with the campuses as early as the spring of '95 on the '96-'97 budget. I would make some tentative basic decisions; salary increases, fees, and other major decisions. Then they go back and work with the campuses again, back and forth and back and forth, and then I would get the budget in August in time for my final decision in September and to prepare for its submission to the board in October and November.

But we would already have been negotiating the fine points with the State Department of Finance for weeks before that. I had to appear before the State Department of Finance for a hearing on our budget before the Regents ever looked at it.

Lage: It's an actual hearing?

Gardner: Yes, it's an actual hearing. I had to know it intimately, which I did, and we had to be persuasive, which we were.

Lage: What kinds of questions would the Department of Finance have?

Gardner: Why we needed a 17.5 to 1 student-faculty ratio, why not 18 to 1, for instance. They would ask about how we allocate student fees, why this student fee increase, as against something else. They were very well-informed people.

Lage: They could ask why you needed a certain library budget item.

Gardner: We really had to know our stuff, that's right. They knew what they were talking about, and so did we. We had a very professional, cordial discussion, and by and large, we came prepared, which they also appreciated, and we had answers to their questions, which they appreciated. So we, generally speaking, were very well supported by their recommendations.

It then went to the governor, but only after the Regents' budget was officially acted on. Then I would be obliged to go up and meet with the governor, the director of the State Department of Finance, his key advisors and my key advisors on the budget, and we would meet for one to two hours, going over the University of California's budget with the governor personally.

Lage: What kinds of concerns would Deukmejian have?

Gardner: Well, for example, when we proposed a certain faculty salary increase, he would say, "Well, now, what are the eight institutions you compare with?" I would say, "Four public and four private," and I would indicate what they were. "These are the institutions which are competing with us in the open market for faculty." "Why did you choose these eight? Why aren't there sixteen?" "Because these eight give us the highest average salary," I would respond. [laughter] He said, "Really?" I said, "That's right. If I could get a different group of eight that would give us a higher average salary, I would do it, because the state pegs us at the average of these eight, not at the 75th percentile or something else, but at the average of the eight, which means that we're below half these institutions and above half of them. But we've got to compete with the top half, not just the lower half."

He would laugh, and then we would go on to something else. I was very straight with him. He would ask a question, I would answer it to the best of my knowledge. If I didn't have the

answer, I wouldn't try to finesse it. There would be technical questions, and I would say, "I really don't know the answer to that." He would say, "Well, our people will work it out." Then we would go on, and then he would talk about, "Well, I've had these complaints," or "I've had this concern expressed," or "What are you doing about that? How are your enrollments looking? We missed it last year, why did we miss it?" I would say, "Well, your guess is as good as mine. It's just a guess. Why did you miss your revenue estimate?" He would laugh, and we would go on. And that was the nature of it.

Lage: Sounds like a fairly good-natured discussion.

Gardner: It was. It was fun. I didn't mind it at all; it was not hard-nosed at all. He was a very responsible person, very conscientious person.

Lage: Things got tougher as time went on.

Gardner: Not with him.

Lage: But with your budget.

Gardner: Oh, yes, sure. That began as early as '89, because while it was not generally appreciated by the public, the budget of the state of California was not balanced from 1989 on. What happened in that fiscal year was that the governor and Speaker Brown agreed to disagree on how to balance the budget, so they really didn't balance it.

Lage: I had noted here that the first "bad" budget for the university was in 1988.

Gardner: I don't think that is correct. Our first bad budget was '90-'91, really '91-'92. What happens is that the governor submits the budget in January, and then in April or May, he takes a fresh look at revenue estimates and expenditure levels for the ensuing fiscal year and revises it. He revises what he proposed in January and either increases it or decreases it. I remember one year when he had to decrease his estimate of revenues and then his estimate of expenditures. We would have lost \$30 million. I got him aside at a cocktail party in Los Angeles, shared my concerns about this unanticipated reduction and why I thought this would be unhelpful, and how it was avoidable without complicating his relations with other state agencies and institutions. He listened carefully and instructed a nearby aide to restore our funding by \$30 million in ways I had suggested.

Then having restored it, of course, that puts him on the side of that decision. Then we went into the legislative hearings, and all the Republicans were supporting the governor's budget. All we need is a majority of the others, and we're okay, so that's what we got.

Lage: So what I saw described as the first bad budget wasn't so bad after all.

Gardner: No, it wasn't so bad. It really wasn't a bad budget. We didn't have a bad budget, really, until 1990-'91, or was it 1991-'92.

Lage: The sense of constraints is surely there earlier.

Gardner: It started. But it's also true that all the money we lost in real terms under Governor Reagan and under Governor [Jerry] Brown had not only been restored but exceeded by the late 1980s. In fact, on any measure you wish to employ--weighted student-faculty ratios, or unweighted student-faculty ratios--any measure you wish to use, the University of California, at least in anybody's memory, had never been better funded than it was in the latter part of the 1980s. Clark Kerr commented on that to me at the time following an analysis he had made of the situation.

Lage: So your base budget was very good.

Gardner: The base budget was very solid. So as we moved into the early 1990s when things began to go south on us, we were starting from a very solid position. Moreover, I'm a fiscal conservative, and I had managed the university's resources in a rather conservative way even during a time of dramatic increases in our funding, so that I had about a two-year capacity to cope with a downturn. I've always believed that if you're going to have good years, you're eventually going to have bad years as well, so I always tried to preserve some discretion in the base budget so that we could mitigate the effects of up to two years of bad budgets. So we did that, basically. I didn't anticipate the five or six bad years, however, that we had 1991-1996.

Lage: There is a great deal of discussion in the record about the ill effects of Proposition 98 [1988] on the university's budget situation.

Gardner: Proposition 98 was a proposition pushed by the California State Teachers Association and their allies. The purpose of it was to lock up constitutionally a percentage of the state budget that must go to fund K-12 and the community colleges. So they created a floor in the state constitution by virtue of this proposition. The problem is that the state's budget for medical care and

welfare are determined by federal legislation, and the prison system drives itself. So all four of those programs are one way or another protected as a result of actions that have occurred over the years at the state and the federal levels, and Proposition 98 constitutionally protected the K-12 and community college's share of the budget.

Lage: Oh, and community college too?

Gardner: Yes. But the trouble with the community college share is that the constitution makes no distinction in terms of what share of the mandated support would go to the community colleges and what share to K-12, so they have a fight over it every year. But what was clear was that CSU and UC and mental health and state operations and so forth were the only parts of state government that were unprotected, about 15 percent of the state budget was wholly unprotected, compared with 85 percent that was protected, once Proposition 98 was enacted.

Lage: That was a hard one to fight, politically, to oppose something seen as aiding K-14. Is that why you didn't urge the Regents to fight it?

Gardner: The Regents' policy had for years been to take no position on any resolution going to the people, or proposition or initiative going to the people, that does not bear directly upon the University of California, e.g. they will endorse a bond issue for University of California buildings. So what effect would Proposition 98 have on the University of California? Well, the Proposition 98 proponents said it wouldn't have any effect on the University of California, and that was their argument. Others thought it would.

The Regents didn't know quite what to do, and they didn't want to run the risk of dividing the education community by opposing it; and they certainly weren't going to support it, because I think they thought this was an unwise use of the constitution of the state and bad budgeting policy, because it lifts the discretion from the legislature, when it really should be able to exercise its discretion in such matters; and they decided to do nothing. They didn't endorse it and they didn't oppose it.

Lage: Did you take a role with it in terms of--

Gardner: I was away from that Regents' meeting in Europe representing the public universities of the United States at the 900th anniversary of the founding of the university at Bologna, the oldest university in the Western world. That was the first Regents'

meeting I had missed, and that was the Regents' meeting where this issue came up. I think I would probably have voted not to oppose it, but it would have been a close call and the discussion at the board meeting may have persuaded me otherwise.

Lage: But it comes up over and over again in later years, you point to that as a very destructive bill for the university.

Gardner: It was, it was. Not alone, but in combination with these other factors that I mentioned.

Lage: And the Gann limits.

Gardner: That was disposed of by the legislature and the governor.

Lage: How was that?

Gardner: I can't remember the particulars.

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Lage: It was Proposition 111 [Traffic Congestion Relief and Spending Limitation Act, June 1990] that you took a very active role in.

Gardner: Which one was that?

Lage: It was a proposition to adjust the Gann limit, and you were co-chair of Californians for Prop. 111.

Gardner: Oh, yes. This was to adjust the Gann limit by allowing certain expenditures to occur outside of the limitations. The Gann limit placed an absolute ceiling on state expenditures drawn from certain fund sources. Isn't that correct?

Lage: [laughs] I'm not sure how it worked. [The measure revised the way the state calculated its spending limit by refiguring the formula and excluding spending for transportation and natural disasters from the limit. It also altered the minimum funding guarantee and the excess revenue provision for K-14 which had been provided by Prop 98 in 1988. (California Journal, April 1990, p. 3.)]

Gardner: I can't remember all of the particulars, but--

Lage: It seemed to be something you felt strongly about.

Gardner: I remember now. Well, we realized that at that point, with Proposition 98 taking full effect, and the state's fiscal affairs looking bleaker every month, that this limit if it were taken

literally and without qualification, would do great damage to the university. And so we were supportive of exempting from the limitation expenditures for highway construction and some other things, to make it possible for the rest of the state to live within the limit. I believe that was the case. So we were very much involved in that. We succeeded. The people approved the proposition and the Gann limit was modified.

California State Budget Crisis, and the Effect on the University

Gardner: Well, let's see now. The state budget was unbalanced even then (1989-90), and all the indices were becoming negative. The university had been doing very well until then, and there was some resentment in the legislature about how well we had done. Some felt we had done better than we had any right to expect, and there was some reaction against us from some quarters for those reasons. The fact is, we had done better than anyone else, including CSU and the community colleges, K-12, and others. So there was some resentment building with each year of succeeding budgeting successes. I also recognized that the state was having some fiscal problems, so I did not want us to take another big jump in terms of state support for our base operations under those circumstances. Thus, I proposed almost a flat budget adjusted for maintenance cost and inflation.

Lage: No new programs. This was for the budget year 1989-90.

Gardner: Yes, and the governor appreciated that approach as did a number of legislators who, in effect, said, "Well, it's about time." They appreciated our approach. So I bought a little goodwill with that.

Lage: Was that hard to persuade the campuses and faculty--

Gardner: No, because they had done extremely well.

Lage: Did the Regents begin raising the student fees around in this time?

Gardner: Let's see, there wasn't--

Lage: In '89, they were raised, and '90--

Gardner: Were they? Very modestly, though. Were they not?

Lage: I'm not sure of the figures.

Gardner: Well, I don't recall exactly. The governor, his second year in office, actually reduced fees. Reduced them. I said, "I didn't propose that." Everybody was giving me credit for it, I said, "I didn't propose it." [laughter] The governor wanted to reduce fees, so he did. Then I think we went along with no fee increases for a period of time, and I thought that this no fee increase each year was not a good idea, because then you just build up the backlog, and then you try to adjust it and the adjustment is then, as a percentage, inordinately high. So I think we began to adjust it in the late eighties, but I don't recall the particulars.

Lage: So this wasn't a big emergency response.

Gardner: No, no. The legislators were asking, "Why should the taxpayers be paying for all of the increases in your budgets, and the students not paying for any of the increases?" So I tried to relieve a little pressure out of Sacramento with very modest fee and tuition adjustments. I think the big increase came in 1991-'92 or 1992-'93, I'm not sure which.

Lage: In '90 is the first VERIP [Voluntary Early Retirement Incentive Plan]. Was that a response to budget constraints?

Gardner: Which fiscal year was it?

Lage: You recommended it in October 1990.

Gardner: That would have been for the '91-'92 fiscal year, that is the year commencing July 1991 and ending June 30, 1992, and we knew what the 1991-92 fiscal year was bringing. The state was then moving dramatically into a fiscal free-fall. So the '91-'92 fiscal year was really the first bad year that we confronted. We knew we were going to have a bad year. The state's fiscal affairs were in dire straits. Every month, the revenue estimates fell well below what they had projected, and it was crystal-clear what was going to happen in '91-'92. We had to fashion a budget that would take account of those realities.

The way it worked was that in the spring of 1990, the budget officers on my staff would be working with their counterparts on the nine campuses and other parts of our operations getting the budget together for 1991-92. They would be in ongoing conversation with people in the State Department of Finance about revenues for '91-'92, the budget they're working on, even though it's only in mid-1990. And then they go back and forth, back and forth, and they get a sense of what's going to happen to the state, what needs are being articulated on the campuses. They then sit down and talk with me, and I would go through it and get

a sense of what it's looking like for both the state and UC. I would say, "Well, try this out and try this out, and how about this and how about that?" They would go out and fuss around, and then come back, and, "Well, this looks promising, this is out," or, "Yes, we can do this." It's just an iterative process.

Lage: So your initial budget is already taking into account the state's fiscal situation?

Gardner: Yes. Following that, I then went to Sacramento and represented the budget to the governor, usually in late October or early November. Then I had a hint from him about how the budget was really going to go. This sometimes occurred before the Regents acted on the budget, but my meeting with the governor usually occurred a week or two after the Regents had formally acted on the upcoming budget.

As I've described earlier, we meet with the governor for anywhere from thirty minutes to two hours, depending on the nature of the discussion. After the meeting, all the staff would leave. His staff would leave and my staff would leave. There would be just the two of us. He would say, "Look, this is what's happening." And I would say, "This is what we can do to help," and we got some understanding of where we were headed, so we would not move off in different directions, thus making it awkward for the other one unless we simply disagreed and would then be obliged to work less cooperatively than was our preference or our custom.

Lage: Can you give me a specific example? When you say "this is what we can do," what kind of thing would you be proposing?

Gardner: The governor would say, "Things aren't looking so good." I would say, "Yes, I know, we have the figures. But what's your sense of it? Is it going to get worse?" "Yes, it's going to get worse," or "No, I think it's going to stabilize," he would say, but by this time in the fall of '90 it was, "It's going to get worse." "Are you going to have to make a mid-year adjustment?" "Well, I hope to avoid it," he would say. "Well, we will keep our powder dry until May when you revise the budget figures for next year."

We would have fifteen minutes worth of discussion, budgets, fees, politics, issues, and we would cover more in that period of time than we could cover in five hours of conversation otherwise.

Lage: It sounds very agreeable.

Gardner: It was.

Lage: It seems that you felt you could accomplish more by working with the governor rather than fighting his sense of the possibilities.

Gardner: Oh, I tried not to do that. If he could help us, he would, so why should I fight him if he couldn't?

Lage: Right. Did it change at all under Wilson?

Gardner: It was the same thing.

Lage: Did you have as good an interchange and understanding?

Gardner: Yes, absolutely.

Lage: Did you have the sense he--

Gardner: I worked much longer with Governor Deukmejian, so it's a little hard to compare them, but I had the same kind of working relationship with Governor Wilson that I did with Governor Deukmejian.

Now, one other thing I should mention is, let's say on our capital budget, as we came into the spring, say of '91, for the '91-'92 budget, remembering that we had put together our capital budget six months earlier, if a building wasn't going to be ready, if I found that Building A at Campus X wasn't going to be ready for that year, I would go to the governor and say, "Well, you can take \$20 million out of our \$240 million request, because we're not ready for it."

Lage: Especially in a time of stringency for the rest of the community.

Gardner: Well, but I always tried to do that, whether budgets were stringent or not. In my discussions with chancellors--I mean, I would regard the conversation with the governor as private, but the essence of what he had to say, I then undertook to try and share in appropriate ways, and I would share it with the chancellors and the vice presidents, I would share it with the Regents and before various student, faculty, and staff organizations, and I would share it in dealings with the press.

And we had had so many good years that I found that people were quite understanding, at least through '90-'91. Then it became more of a problem. We were preparing the '91-'92 budget, of course, throughout 1990. The budget situation, as I've mentioned, was becoming bleaker and bleaker.

Therefore, I was more willing to increase student fees in 1991-92 in order to preserve the quality and capability of the

institution and insure that students could make normal progress toward their degrees. So instead of canceling courses, they would be offered. Now, the students might be paying a little more, but at least they could make regular progress in their university work. We made a decision in the fall of '90, I believe, to increase fees 40 percent for the 1991-92 academic year. The first really significant fee increase in my administration.

Lage: You recommended student fees of \$650, while the governor's budget had called for fees of \$325.

Gardner: Yes. It was a 40 percent increase, but it was a high percentage on a very low base.

Lage: That's true.

Gardner: And it was clear to me that I would be hard-pressed to defend our low fee levels when comparing them with twenty to twenty-five of the leading public universities of the country. I thought that if we increased fees, I would preempt that argument, and give evidence of the inadequacy of the probable state budget. Kind of a signal, "Well, look, if you can only give us this much, we're going to have to increase fees this much. We can't just absorb these reductions."

Lage: I see. Was it at all a political decision, then?

Gardner: No, no, we needed the money. Why would we want to increase fees 40 percent if I didn't have to? If we could have increased them 20 percent, we could have gotten the same political mileage out of it. We increased it 40 percent to keep the place going, basically.

Lage: Was this accepted within the university community, by chancellors, faculty--

Gardner: Better than I had thought, yes. Some wanted to go higher. Others wanted to impose tuition for the first time, not increase fees 40 percent, but keep fees maybe 10 percent increase and impose tuition.

Lage: What are the implications of that?

Gardner: The fees are paid directly to the university, while tuition goes to the state. And the state may say that they appropriate it back to you, but they may also reduce state funds correspondingly that otherwise would be coming to us. I had seen this happen in Utah and wanted to avoid that charade.

Lage: And that's a good reason to have fee increases instead of tuition.

Gardner: That's correct. So we avoided increasing tuition, except for nonresidents.

The other thing we did while increasing the fees was to increase the student financial aid, so that no student eligible for student financial aid would suffer from the fee increases. A certain proportion of the fee increases was set aside for financial aid.

Lage: How did the students respond to the fee increases?

Gardner: I would say they knew that they had a good run on fees in the 1980s, and they generally didn't like this kind of thing, but I think they understood why it was necessary, and, generally speaking, I thought they were quite good about it.

I called the then-acting chancellor of the California State University. He was former president of Cal State Hayward--I'm trying to remember his name: Ellis McCune, a good guy. He was acting chancellor. I said, "How much are you increasing fees?" He said, "We're not going to increase fees." I said, "But you have the same fiscal problem we do. How are you going to run the place?" "Well, I'm going to let UC be on point on the fee issue," he said. "Politically, the legislature will tell us what to do anyway, so why should we propose it? In the end, we're going to get a 10 percent fee increase with legislative language instructing us to admit all eligible students to CSU irrespective of the budget. That's what they're going to tell us." I then said, "Well, if that happens what are you going to do?" He said, "We're going to do exactly what they tell us to do: we'll increase fees 10 percent, admit all eligible students and will balance our budget by cancelling courses that would otherwise have been offered." I suggested that this approach was "placing most of the burden on the students and that it would be like admitting patients to a hospital when there are no beds." In any event, that's what happened. It was a real problem for CSU, and their enrollments dropped dramatically. This is not a criticism, it's just describing what occurred. They enrolled the students and did not offer the courses, and their enrollments dropped 25,000, over a year or two, as a result.

Lage: Well, that's one way of dealing with budget problems.

Gardner: It would have been a lot easier for me to have done it that way instead of proposing a 40 percent fee increase. [laughter]

Lage: Gosh, it doesn't make sense.

Gardner: What the average legislator wants to be able to do is to tell his constituents that they had kept student fees down and that all eligible students had been admitted. Most cared less about what happened educationally to the students once they were enrolled. At least, they cared less than I did. That's a fairly cynical statement, but I think it's truer than most people would wish to admit. I don't mean all of them, but I mean, there was a general disposition to do that. And there was a good deal of negative press about the lack of classes at CSU as well as about our fee increase. It's always easy to criticize if one has no responsibility in the matter.

I am vitally concerned about what happens to students once they're enrolled, and the capacity and capability of the University of California to educate them at UC standards. So we could have played those games, but we didn't. And the result was, I got a lot of political heat for having been straighter about it than others, and it spilled over into the final year of my administration in ways that were quite hurtful to me personally.

The number of students enrolled at CSU and UC is directly relevant, of course, to the state appropriation. At UC the state gives us X dollars for every 17.6 students.

Lage: The 17.6 figure is the student/faculty ratio?

Gardner: The unweighted student-faculty ratio was 17.6 to one.

Lage: Okay, so for every 17.6 students enrolled, the university is allocated so much money?

Gardner: Yes. The figure is based on the cost of the salary and benefits for an assistant professor step III, prorated costs of the library, janitorial costs, heat and power, departmental administration, and other support costs, and the depreciation of buildings and equipment, all of that is all in there. It's a formula. So you arrive at X dollars for every 17.6 students, full-time-equivalent students.

What has actually happened over the last four years is the 17.6 has gone to 18.6.

Lage: Oh, they actually changed--

Gardner: They changed the ratio, without anybody acknowledging that it had been changed. Now, all that means is that faculty members who

went out with VERIP I, II, and III were not replaced one-to-one, they were replaced one-to-whatever, but not one-to-one.

Lage: So that was the effect of VERIP.

Gardner: That's the effect of it.

Lage: But it's not acknowledged that--

Gardner: Oh, it's acknowledged, but nobody says anything about it, and that's what's happened. Now, in the early 1970s, when Governor Reagan came in, the same thing happened. We were at 14.5 to one. After two years, we were 17.6 to one. Now we're going to 18.6 and climbing.

Lage: Does this really mean that there is less faculty per student, or that you have a greater proportion of lower-grade faculty?

Gardner: It means that we have fewer faculty members per student, that's correct. There has been a fundamental erosion in the per-student support at the university in the last five years. There was also in the early seventies. I worked very hard to avoid slippage in this area, and did.

So when legislators would say, "You want to build three new campuses? It's going to cost us--how are you going to fund that?" and so forth, I told them that 12.5 percent for defining the eligible pool of students coming out of high school is not magic. UC admission requirements are set so that the top 12.5 percent of high school graduates will be eligible for admission to one of the UC campuses. CSU at one time made the top 50 percent for California high school graduates eligible for CSU admission. CSU went from 50 percent to 33.3 percent of the high school graduation pool eligible for admission to CSU when the master plan was approved in 1960. UC went from 15 percent to 12.5.

Lage: Oh, I didn't realize that.

Gardner: Yes, we did. "So do you want us to go to 10 percent? Is that all you can fund?"

Lage: Was this done through legislative action?

Gardner: Yes, it's done through the budget process, which is what we're talking about. I told the legislature, "You're talking about funding the top 10 percent, not funding the top 12.5. So which is it going to be? Or is it you're just simply not willing to fund us but are still asking us to take the top 12.5 percent? I

need to know where you're headed." That's what I was trying to flush out. No one wanted to answer those questions. Even internally, no one wants to talk about it.

Lage: It sounds like it. And as the campuses get busy and do more fundraising from private sources, does this take up the slack in the state budget?

Gardner: Private gifts cannot replace this money, because 90-plus percent of all private gifts are earmarked by the donor; and they're not earmarked for teaching. They're earmarked for rare books in the library, or collections in the museums, or football, or beautifying the campus, or buildings, or scholarships or fellowships. That's not what I'm talking about.

Lage: Not teaching.

Gardner: No. And I might also add that we didn't use student fees for teaching, either. Now, we stretched the definitions, I must say, by quite a bit.

Lage: In what way?

Gardner: We wouldn't previously be willing to spend student fees on any of the library costs. Well, now we do. But we avoided charging tuition, I think wisely so.

So I kept calling out both to the Regents and to the legislature that we were heading into a major problem in the 1990s. I started speaking to that issue as early as 1989, in hearings before the legislature and before the Regents, even during the years we were getting good budgets. The structural problems in state finances were adverse to UC's interests if one would only look ahead a few years. I would point out that with the enactment of Prop. 98, the growing welfare costs, the growing dependency on public support for medical care, and the increase in the prison population, that the residue of the state budget available for appropriation to that last 15 percent of the state budget, which includes us, was shrinking every year. By the year 2000-2002, nearly 100 percent of the budget will be committed to those four programs. No one is willing to talk about 12.5 percent as an issue that should be legitimately raised. All they're talking about is underfunding us.

Lage: As you describe them, these are longlasting structural problems in the California state budget. What is the solution, then, for the UC budget problems?

Gardner: The solution is not business as usual. That's the solution. But business as usual has a certain compelling force in our society, as we're finding at the federal level with the federal budget. People get used to doing things, interests become vested and are linked to constituent groups which become well organized, and change becomes exceedingly difficult. The budget problems have been severe enough that we should be talking less about efficiencies and more about the purposes of the university.

Voluntary Early Retirement Incentive Plan--VERIP

Lage: Okay. I want to ask you a little bit more about VERIP. How did that idea for VERIP come up?

Gardner: The biggest single university cost is personnel. To achieve the magnitude of savings we were then looking at in the early 1990s required us to look at personnel savings. It couldn't be done otherwise.

The challenge was to reduce personnel costs with the least damage to the institution and in the most humane way possible, to avoid damaging our teaching program, our research capability, and our public service activities. The Voluntary Early Retirement Incentive Plan proposed to me by Baker and Hershman and, I believe, Frazer and Brady as well, was simply intended to encourage the most senior members of the faculty, the most long-serving members of the faculty, to consider retiring now rather than one, two, three, or four years from now, and to do so without any financial penalty. Indeed, if they chose to retire now as against one, two, three, years from now, their retirement would be increased over what would otherwise have been the case.

Those who took VERIP I--this is both staff and faculty--those who took VERIP the first time were the most senior members of the faculty and staff, in nearly all instances within two to four years of normal retirement. Almost no one was critical of VERIP I. VERIP I went into effect with the 1991-'92 fiscal year. Nearly everybody liked it. Nearly everybody thought it was fair. A number of the faculty members who went out on VERIP I were recalled to teach part-time under arrangements that we had worked out in conjunction with the Academic Senate. Some staff were also recalled part-time. It was not generally disruptive, although some departments had more problems than others, but generally, it was not disruptive.

It permitted us to take the salaries of the senior professors who retired, hire junior professors at half the cost, and apply the savings against our budget savings target. The persons who retired were not financially penalized, we suffered no loss in our student/faculty ratio, the savings were real and enduring, not illusory or temporary, and we gained the advantage of being able to recruit junior faculty at a time when most other universities were not hiring. Thus, we had our pick of the best young talent available across the country. It also provided us major savings in our base budget which would otherwise have been obtained through layoffs, increasing student/faculty ratios, cancelled classes, dramatic tuition and fee increases, or other less desirable options.

Then, we went into the second round of these problems the following fiscal year, i.e., 1992-'93. VERIP II was then proposed as a way of mitigating the second year of budget cuts. I was uneasy about that because I knew we would be cutting more deeply into the pool of senior faculty and staff. The Academic Senate was also concerned but also believed that VERIP II was the lesser of the various evils available to us if we were to meet our budget targets. This was for the 1991-'92 fiscal year. They had less enthusiasm for VERIP II than for VERIP I, which is exactly the way I felt about it as well. Thus, I approved VERIP II very reluctantly. So we were able in those two years to soften the impact of the budget reductions through the early retirement plans without creating major problems for the university, although some departments were disproportionately affected; and the campuses were differentially impacted by this as well.

But you know, it is not a perfect world, you do the best you can. I thought we got through those two years pretty well, given the magnitude of the budget cuts; students were able to make normal progress toward their degrees, salaries were frozen but not reduced, large layoffs were avoided, retirees were not penalized and while student fees had risen they remained about at or below the average being paid by students at the better known public universities, e.g. the Big Ten universities.

In any event, we went through with the second VERIP and lost to early retirement a number of people I wish we hadn't. But we also had been recruiting in their place some of the most talented and promising young scholars and scientists in the United States and abroad.

If you look at the pattern of retirements around the nation in the nineties, there's a dramatic number of people retiring from universities and colleges about '96 on. Our early

retirements in the early nineties gave us a jump on recruiting within a pool of people who had very few other opportunities. There were a lot of factors here, with VERIP I and II, not all negative. Indeed, these were both positive moves for the university, in my opinion, on balance and over time, given our circumstances.

VERIP III was proposed for '93-'94.

Lage: It was proposed by you?

Gardner: Just as I was leaving--not by me it wasn't.

Lage: Not by you?

Gardner: It was proposed by staff, just as I was leaving. I think it was in August, and I left October 1, 1992, and it was being proposed for the '93-'94 budget year, which we were preparing in the summer and early fall of 1992. And I rejected it.

Lage: Oh, you did? I didn't realize that.

Gardner: Yes, I did. It was approved after I left.

Lage: You thought that VERIP III was going to be too damaging?

Gardner: I thought it was unwise and we should do something else. I believed that we had cut into our senior faculty and staff far enough, that VERIP III would do real damage, especially to Berkeley, that we ran the risk of losing many of our best known and most involved senior faculty and staff, and that it would harm the university's inner culture and workings irreparably. I did not underestimate the budgetary problems everyone confronted, but as to VERIP III, I believed the cost/benefit ratio was negative.

Lage: That's very interesting. We'll continue with the budget next time.

More on the University of California Budget

[Interview 10: January 11, 1996] ##

The Internal Allocation of Funds

Lage: Today we wanted to start by finishing up on the budget.

Gardner: Yes.

Lage: You mentioned after we finished last time that there were three basic things you thought you had more to say about. One of them was how the budget was allocated internally. Do you recall your thinking on that?

Gardner: Yes, I do.

Lage: Is it true you have a photographic memory, as I saw written in some newspaper article?

Gardner: Did someone suggest that? I forget my share of things, I'm sure.

Lage: But you do have a good memory.

Gardner: A reasonably good memory. At least as I recall! [laughter]

Lage: It's a great asset, I think.

Gardner: It helps.

Well, on the internal allocation of funds, I believe that in our previous discussions, I focused on how we secured these funds, and less on how we allocated them internally.

Lage: That's true.

Gardner: That's important, because the president has the authority to allocate the money.

Lage: Because it comes as one lump.

Gardner: That's correct. It is the president's responsibility to recommend a budget to the Regents, and the Regents' responsibility to recommend the budget of the University of California to the governor and the legislature, and the responsibility of the legislature and the governor to decide how much money is coming to the university. But once that decision

is made, then the president has authority to allocate it. The president does not go back to the Regents for allocation authority.

Lage: But as you're developing the budget, haven't you already done some allocating?

Gardner: Well, yes and no. No official allocating of budgets had occurred because you don't yet have the money to allocate. You may have to do some tentative allocating; that is, in the spring of, say, 1990, I would say, "Well, it looks like we can count on roughly this much money," and as a planning figure, the chancellors would benefit from that estimate, but they couldn't count on it. The point I want to make is that, under the bylaws and standing orders of the Board of Regents, the president of the university, without further consultation with the board, has unqualified authority to allocate the university's budget internally.

Lage: Between different campuses, between different programs.

Gardner: Yes, different programs, campuses, for teaching, research, administration, infrastructure, and so forth.

Lage: That's a lot of power.

Gardner: Yes. And it's a measure of authority by and large not enjoyed by other presidents who, after the legislature allocates the funds, are usually obliged to go back to the board for approval of the institution's budget internally. The University of California does not require that, and the president has authority to allocate. So I emphasize it because it's fairly unique.

Lage: I didn't realize that.

Gardner: Yes. But critical. Can you imagine what it would mean for the president to have to go back to the Regents, with all of the regional implications, individual campus identification, the opportunity for lobbying the board, and so forth? My guess is the Regents, after some experience in the history of this institution, resolved that it's best for them to submit a budget, and whatever is obtained, the authority is delegated to the president to allocate it. So that's what happens.

Lage: And how does that work itself out?

Gardner: How it works out is the following: the state-appropriated funds come with some legislative qualifications. For example, the legislature will allocate so much money for personnel, on the assumption that a budget adjustment of 2 percent, 3 percent, 4

percent, or 5 percent, will be made in the salary pool. That's something we will have negotiated with the governor and the legislature, so we honor that, even though constitutionally they cannot require it of us. But we worked with it, and when we had an agreement, we honored it. That's all agreed to ahead of time, so that's worked out. Then there is so much money for the supplies and expense budget, and that's merely an estimate on the part of the legislature. They don't really care how you spend it. And then that's allocated more or less consistent with inflation as a percentage of the prior year as base, but not necessarily one-to-one. And then the general support budget, the administrative budget, all that is allocated.

What we do is receive the basic state budget in the form of so many dollars for so many students. When I was there, it was 17.6 students. For every 17.6 full-time-equivalent students, we got so many dollars. The dollars would pay for an assistant professor step III, plus benefits, and then a pro rata cost for the library, administrative costs, utilities, repairs, maintenance to the plant, and so forth, as I earlier stated. It was an unweighted allocation.

Lage: What does that mean?

Gardner: They didn't care whether those 17.6 full-time-equivalent students were freshmen or second-stage doctoral students. They didn't care. They just gave us so much money. So it was an unweighted allocation, 17.6 [students] per faculty member, and then for each faculty member, they gave us so much money. That's basically how it worked.

The president, however, allocated it on a weighted, not an unweighted, basis. I would take account of whether these students were enrolled at the freshman level or the sophomore level or the junior level or the senior level or the master's level, or in early stage of their doctoral work, or in the latter stages of their doctoral work, whether they were in English or engineering, or in the professional schools, or in medicine or whatever. The president's office had to allocate it on a weighted basis, taking these and other variables into account.

Lage: Were there formulas for that also?

Gardner: There were formulas. The formulas were adopted by the president, not by the Regents, and they were adopted by the president after consultation with the chancellors, who, I might add, could never agree on this matter. Fairness, I found, was in the eye of the beholder.

Lage: [laughs] Was this a subject for discussion?

Gardner: Yes; and we modified it from time to time, based on our experience.

Lage: How did that work out with the various chancellors?

Gardner: Well, almost every chancellor felt aggrieved by the process. No one felt advantaged by it. Or if they did feel advantaged, their best defense was to feel aggrieved; so [laughs] it was always a controversy. Everyone knew the game. For example, Santa Cruz had relatively few graduate students, at least as a proportion of the total student body. So the amount of money per student allocated to Santa Cruz was less than the amount of money allocated per student to Berkeley because the proportion of graduate students at Berkeley was higher than at Santa Cruz. Berkeley would feel justified in this because of the number of advanced graduate students, the proportion in the professional schools and so forth. It seemed perfectly reasonable they should get more money per student. It cost more to educate graduate students than undergraduates, generally speaking, on average.

Santa Cruz's position was always, "Well, we don't deny that Berkeley's argument is correct, but they don't take account of the fact that Berkeley has three times as many students, so they get economies of scale, and we put more emphasis on teaching than does Berkeley," and so forth and so on. Then Berkeley would respond and say, "Yes, but if you take the teaching faculty, more of them at Berkeley are at the full professorship levels, step VI and above, compared with, say, Santa Cruz. So their Santa Cruz faculty personnel costs are on average not as high." Then Santa Cruz would say, "Well, that's true, but we're having to recruit in the same market, and--." Everybody had their arguments.

Lage: Did this come out in the Council of Chancellors?

Gardner: Oh, yes. Well, it was discussed first by the budget officers of the respective campuses, with Larry Hershman, who handled our budget.

Lage: Without you being in on that stage?

Gardner: I was not in it. A lot of these disagreements would be smoothed out at the staff level. What I wound up with was what nobody could agree on, and then I would put it on the Council of Chancellors' agenda, and we would talk it through. I would sometimes modify our formula, and other times I would not modify our formula.

Lage: Would this be up for discussion every year?

Gardner: Pretty much every year. Some years, especially when budgets started to decline, it became a more aggravated scene than it had been before.

We had comparable arguments on the allocation of overhead within the University of California. By overhead, I mean the portion of funds provided mostly by the federal government for research that's devoted not to the research itself but to the cost of providing the administrative support, the supporting infrastructure such as the utility costs, telephone costs, the cost of sweeping and cleaning, the cost of maintenance, the depreciation of the buildings, the cost of the library, and so forth. There's a formula that was used in calculating overhead funds from the agencies funding the research, whether it was the National Institutes of Health, the National Science Foundation, the Department of Energy, or whatever.

When that money, that overhead, came to the University of California--it's a lot of money--when that money came to the University of California, the president's office took 20 percent off the top. The state and the university then shared the rest of it evenly, basically. But the state took a good share of it, so we never saw it.

Lage: Now, when you say the state and the university shared it, where did the university's share that didn't go to the president's office go?

Gardner: They went directly to the campuses.

Lage: To the campuses where they originated?

Gardner: Yes. Well, yes and no. I mean, this is the problem. Berkeley would say, "Hey, we earned this money. It was our researchers who obtained the grant. The overhead was calculated on the basis of our expenses at Berkeley, and we should receive all of it. The president's office shouldn't take any of it, and it's not right the state should take it either." The state on the other hand would argue, "Look, these are buildings we paid for. Part of the overhead formula is the depreciation of buildings and equipment, so we're entitled to part of it." These fights go on all the time.

Now, as to how we did it: we negotiated a deal with the state so they got what they thought was fair.

Lage: Through the governor's finance department?

Gardner: Yes. In other words, they would take a credit in the annual budget for their share of the overhead. In my early years as president, we actually had the state share of overhead added to our base budget, so we benefitted from it. In other words, they did not offset the state appropriation by the amount of overhead going to the state.

Lage: And then what happened later?

Gardner: Well, then they reduced the state share and justified it by saying, "But you've got all of this money from the state, and you don't any longer need our share of overhead." But in the early years, we not only got in state appropriations what they were going to give us anyway, but we had the overhead on top of it.

As to UC's share that was allocated directly to the campuses--let's see, how did we do that? Oh, yes. Half of the overhead going to the campuses went back on the basis of what they had earned. Then there was a formula for the other half that was linked to enrollment and other considerations. So UC San Diego, which felt aggrieved throughout this process, thought that they ought to receive everything that they earned, not just part of it. Well, if you did that, there would be almost no overhead money for, say, Santa Cruz.

Lage: Which didn't generate as many grants.

Gardner: Very little.

Lage: Riverside?

Gardner: And Riverside. So the smaller campuses wouldn't have had this kind of money available to them. In any event, San Diego and the other new campuses in the 1960s had in their own turn benefitted from overhead earned at Berkeley, San Francisco, and UCLA.

The money is essentially used as an opportunity fund by the chancellors. At Santa Cruz, they would use it to help increase their research capability, buying equipment, helping to recruit faculty members, fellowship support, any number of things that would help them develop over a period of years roughly the same research capability that UCLA and Berkeley had developed over a longer period of time. They felt if they didn't have that kind of money, they never would be able to develop their research capability, and they are right. So we made a compromise within the system, and it was roughly along the lines that I described to you.

Now, the 20 percent that's in the president's fund, I felt no obligation to allocate that money any way whatsoever except in ways that I thought would serve the long-term best interests of the University of California as a whole. So we would allocate it for any number of purposes that advanced the university's overall interests. This would go mostly to the campuses, but not according to any formula. It would be according to the opportunities we had to make progress within the university.

Lage: Like the humanities institutes?

Gardner: That's correct, exactly. Seed money to get a program started, and so forth.

Lage: It sounds like there would be tremendous opportunity for a lot of resentment between campuses, and between the campus and the president's office.

Gardner: There was. There was real potential for resentment and ill will, which meant that we had to work very hard at it. I would say that by the time it was over, while not everybody was happy, everybody felt they had been heard, and all things considered, if any one of the chancellors had been president, they would have probably done the same thing I did. So it was okay.

Lage: Now Atkinson's going to have a chance to sit at the other side of the table.

Gardner: Dick's now going to have to now explain to San Diego why they're not getting all the overhead money they generate. [laughter]

Lage: Is that why I read that UCLA got the smallest percentage of their total budget of state money of any of the campuses? Would that be possible?

Gardner: I would be surprised if that were the case, although if it's true it's probably a function of the health sciences and the university hospital being on campus at UCLA, the size of their private giving, self-supporting auxiliaries, and so forth.

At UCLA, all the health sciences are on campus. At Berkeley, the health sciences are at UC San Francisco, if you wish to put it that way, compared with UCLA's situation. So there would be reasons for explaining these disparities across the university that are not necessarily inequitable.

Lage: It wouldn't be that they're aggrieved.

Gardner: No.

So I tried to do the best I could with the conflicting forces and in making these decisions, that, if any other chancellor were in my shoes, he or she would probably have made as well. I think on balance, people felt that it was done as fairly as it could be done.

Lage: If it had been done by vote of the Council of Chancellors, would it have come out differently?

Gardner: Yes, it would have been unfair. It would have been unfair to San Francisco, Berkeley, UCLA, and San Diego if it had been done by majority vote.

Lage: Because the smaller campuses have the majority.

Gardner: Yes. And it would have been unfair to the other campuses if I simply took the argument that Berkeley, UCLA, San Diego, and San Francisco tended to advance. This is a good example of why the university needs a president. Can you imagine the Regents or the legislature or the governor doing this and countless other tasks that are performed by the president, most of which few people know about?

Lage: When the meetings ended, were they on good terms?

Gardner: Yes, they were fine. Sure. It was just one item on the agenda. We would deal with it and move on.

Now, as you go through other parts of the budget, almost all of the gift monies are earmarked for a specific campus anyway. The president's office receives very little gift money. What gift money we receive, we allocate to the campuses for the purpose of taking advantage of opportunities as they arise, and helping new programs get started, helping new campuses get off the ground, and so forth. But it's very, very nominal.

Now, there were also disagreements among the chancellors with respect to the allocation of student fees, both the educational fee and the registration fee. Those were not necessarily allocated to the campus that generated them either. This was a source of ongoing dispute, and we dealt with it the same way that we dealt with the overhead, as I described to you.

Lage: That surprises me. I realize you pay your fee to the Regents.

Gardner: That's correct, you do.

Lage: And it doesn't necessarily go to your campus?

Gardner: Not necessarily. Some may get more, some may get less, and one year, it may just be the reverse. Another year, flip back the other way.

Lage: How can these things change from year to year?

Gardner: It depends on what's going on in the university, whose enrollment has unexpectedly climbed or declined, whether there is a new facility for students being built at one campus as against another, what is the pattern of financial aid campus by campus, which changes every year. It depends who's admitted and who's turned away. There are a lot of variables here, and we had to take those into account every year.

Lage: It really is one university.

Gardner: It is one university, that's correct. These are good examples of why it's one university. And in the end, I had to make those decisions, how to allocate those fees, which I did. But we went through the same process as we did on overhead.

Lage: This had happened before you came in, but were there new factors that you tried to consider?

Gardner: Yes, and I was open to considering the arrangements that we had worked out the previous year. I was open to reconsidering those every year, based upon our experience, and the merits of each argument, the equity issues, how well we're doing with the state, where we would have to use the fees to replace state money. It's one thing if the state is really funding us well, then this is less of an aggravation within the institution. But if you're raising fees to help offset a loss of state money, then it becomes a real point of contention.

Lage: Maybe I don't follow it as closely as I should, but it sounds to me as if a lot of the things you're talking about are not common knowledge on the campuses.

Gardner: No, not at all. Can you imagine taking a vote on this? [laughter] This is one of the things we get paid for: to make these hard decisions, and to be as informed about the basis for making them as possible, to bring as disinterested an eye to it as possible. After all, the chancellors had the responsibility to advocate for their respective campuses. I wasn't advocating for any campus. I was advocating for the University of California.

Lage: Did you ever have a case of a chancellor feeling aggrieved who spread the word that his or her campus was--

Gardner: Not really, not in any serious way that would have required my intervention. Oh, I'm sure they would share it with the vice chancellors and others if they felt unhappy about it.

Lage: But not in a way to bring lobbying to you.

Gardner: No. Nobody tried to overturn the decision, no one went to the Regents to protest, no one ever to a legislator, this never came up in the hearings. It worked pretty well, actually. And I think it worked because people felt that it was not arbitrary, it was not capricious. We made every effort to be fair, we heard them all out, and they knew it.

Lage: What about cases of allocations of programs, especially in the declining budget years? For instance, strengthening the library in one area on one campus and diminishing it on others?

Gardner: Let me explain how it worked. What I tried to do was to minimize the number of decisions I made for the chancellors as to their campus budgets. In other words, I tried to do for them what the legislature and the governor did for the university, namely to give them a block grant as much as possible. So when I would allocate money, I put as few constraints on the chancellor's discretion as I possibly could.

What would those constraints be? Well, we're one employer. Each campus is not an employer in and of itself; the Board of Regents is the employer, the university is the employer. So if we have a salary pool of 5 percent, that 5 percent applies to every campus, every part of the university, and that's fixed. They can't go above it. I don't tell them how to allocate the 5 percent. That's up to them. But 5 percent is what they have--or whatever the percentage was, although they have full discretion to fix the percentage in individual cases so long as the percentage is not more than 5 percent on average for the whole pool.

In terms of the fee income, once it was allocated, they were free to make allocations according to their needs, within the campus itself.

Lage: But this didn't allow, it seems to me, you to encourage more cooperation between campuses, instead of every campus duplicating programs.

Gardner: But the fees do not generally support programs, especially teaching programs.

Lage: But reducing duplicate programs would be one way of dealing with a long-term prospect of reduced funds.

Gardner: The reason that the one-university concept works is because the Regents are self-restrained in terms of the degree of involvement they have in the actual decision making within the institution. They reserve to themselves the authority to recommend the budget. They reserve to themselves the right to approve certain buildings over a certain cost. They reserve to themselves the right to appoint the officers. They reserve to themselves the right to approve leases over a certain amount of money and research grants and contracts over a certain level. They adopt the general policies of the institution, but they do not get involved in the administration. They give most of their authority to the president.

The president in turn has to be just as self-restrained vis-a-vis the chancellors for this system to work; and I had the job to allocate the budget--and couldn't delegate that to anybody. I made sure that the chancellors had every chance to advocate their needs and to argue with me. We debated these issues openly, and we arrived at decisions; and I explained why I arrived at a particular decision. But once the decision was made and the money was allocated, I got out of it. Allocations within each campus were the chancellor's job, subject to periodic internal audit and certain system requirements, information systems, that is. In my opinion, we had very good relations, generally speaking, between the chancellors and the president's office, and certainly between the chancellors and me personally.

You can imagine what would happen if the president began to reach in to the campuses and make programmatic decisions unilaterally. You can't do that. Moreover, you're not in a position to do it wisely. That's why there are chancellors, and the divisions of the Academic Senate to work with them on each campus.

Remedial Education

Lage: Someone mentioned to me a suggestion you made, or maybe it was more than a suggestion, about remedial education that wasn't taken well.

Gardner: It was not.

Lage: Tell me about that episode.

Gardner: Well, we had a lot of budget problems coming in the early part of the nineties, and I could see them coming, as I already mentioned. I was looking for ways and means of shrinking the range of responsibilities the university had assumed over time, or consolidating them, or effecting economies, or getting more money from some other source, or whatever.

One of the areas that we had crept our way into more and more was remedial work. Now, I don't criticize the university for having done it. But I was not enthusiastic about more and more of our resources being used to offer high school level work at UC. We did it because the schools tended to send us students less well prepared than we felt they needed to be for our work and our standards, and in larger and larger numbers. But it seemed to me that by accommodating this slippage in the readiness of students to perform, especially in English and mathematics, at the University of California, we took the heat off the high schools.

Lage: That's probably true.

Gardner: I think it is true. And that we probably shouldn't be as accommodating as we had in the past, number one. Secondly, if we were to be accommodating, we ought not to be spending state money on it. After all, the state is already paying for the K-12 education. So I proposed to eliminate it as a state-funded program within UC.

Lage: Eliminate remedial ed?

Gardner: As a state-funded program.

Lage: Was this just a suggestion, or was it more than that?

Gardner: It was a suggestion. The chancellors almost uniformly agreed but felt we couldn't do it because of the resistance on the part of the teaching staff involved.

Lage: Those who taught remedial ed?

Gardner: Yes. And certain departments that benefitted from the instructional costs of enrolling such students in their overall programs, and the chancellors proved to be right. Now, I could have pushed it, I could have just done it, but we had so many other problems within the university at that point, I didn't want to add to them.

Lage: Would this bear on affirmative action?

Gardner: There were funds available--we would have made funds available for any student who required tutorial work and so forth as part of our overall affirmative action effort, but I did not want to spend state money on it.

Lage: So that just got dropped.

Gardner: I dropped it because it wasn't worth the fight. I had too many other things to fight about. I note with interest that the California State University just last year has undertaken to do exactly what I had suggested in 1990.

Lage: Well, it makes sense. How would someone like Regent Bill Honig respond to that kind of initiative? Here he was in charge of the K-12.

Gardner: I don't know. He did not attend Regents' meetings very often.

Lage: Oh, he didn't? He wasn't an active member of the Regents?

Gardner: No, he wasn't.

Lage: That's interesting. So he didn't get his two cents' worth in.

Gardner: Not very often. I don't know what he would have said. He might have agreed, actually. But he wasn't present too often.

Lage: It seems that his position [state superintendent of public instruction] would be a good position to have active on the Regents.

Gardner: I agree.

Let me say also that this is an example of how a president has to choose his or her issues. There was a lot of concern about the adequacy of state support for the university as a whole. People who are content when times are good can be difficult when times are bad. One has to be careful not to create coalitions of discontent that grow to the point where the benefits you're seeking from the steps you're taking are more than offset by the costs.

Lage: A lot of political skill, it sounds like.

Gardner: Yes. So you had to calibrate it. I thought, Well, this is not a fight worth making at this juncture. And the chancellors, while they agreed with this, half of them were willing to make the fight and the other half weren't, and I thought, Well, they

really need to be unified on this, I can't do it alone. I shouldn't do it unilaterally.

Lage: What departments would it have been who had so much power?

Gardner: Well, English Department, Mathematics Department, where the remedial work was done.

Lage: I think of it as being a separate department. At Berkeley, it's Subject A. Different campuses, I guess, do it differently.

Gardner: Different situation, right. So one has to be careful about which issues you're going to take on.

Internal Allocation of Nonstate Income

Lage: Is there more to say about this internal allocation?

Gardner: Yes, I won't burden you with--

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Lage: There are other sources of income that the president has to allocate.

Gardner: Yes. There is unrestricted endowment income, there is patent income--

Lage: Unrestricted endowment income? Is this something that an individual campus might actually arrange?

Gardner: No, these would be funds given to the University of California without regard to campus by donors over the years, and then it falls to the president's office to allocate them. It's always allocated to the campuses. We don't spend it at the president's office. And patent income, which is quite a bit now, royalties. It's a lot of money now. That's allocated. Oh, and miscellaneous incomes of one kind or another. Nuclear science funds, i.e., the overhead for managing the three national laboratories for the United States Department of Energy. These monies represent several millions of dollars.

Lage: Is that used primarily for science?

Gardner: Usually for fostering research, fellowship support, research equipment of one kind or another. I used the nuclear science

funds principally to foster research connections between scientists at the laboratories and professors on the campuses. Not for classified research, of course.

And as a result of the earthquake in 1989, we had tremendous structural and seismic problems within the university. I couldn't get any money from the state for our seismic needs. We tried for years unsuccessfully, and even with the earthquake, we couldn't get any money. We had maybe a couple hundred million dollars of backlog, and \$50 million in rather critical needs. So I simply bonded for \$50 million to take care of those needs immediately and retired the debt by allocating a portion of the funds received from the Department of Energy to oversee the work of the three national labs.

Lage: That was a popular use of it, I'm sure.

Gardner: It was. It worked.

Lage: How about the patent income? Did you follow certain principles in allocating that?

Gardner: No, we had more discretion there, but the whole idea was to foster the research capability of the university.

Lage: As times became tougher, was there more pressure, or did you actually use these for sort of ongoing work of the university?

Gardner: No. If I had used it for the university's instructional needs, for example, we would be substituting that money for state money, we would never get the state money back. Then our discretionary money would be correspondingly reduced forever. So I was very tough about not using these discretionary funds for UC's base operating needs.

Lage: Okay. Anything else on that?

Gardner: That's probably all you want to know, and a lot more. It's an important part of the president's role, to arbitrate these differences within the university.

Lage: Yes, and to set directions. It's more than just arbitration.

Gardner: That's right.

Campus Programs

Gardner: In terms of programs, you asked why doesn't the president get involved in programs. I've answered that in part. This is really a campus responsibility. When you talk about the basic arts and sciences program in the University of California, those should be duplicated at every campus, other than UC San Francisco; they should be duplicated. But one needn't have a law school at every campus, by way of example.

So with respect to the programs that reflect a degree of specialization that need not be included at every campus--engineering, law, medicine, veterinary medicine, dentistry, and so forth--then the Regents reserve to themselves the right to approve such new schools. There is a universitywide means for assessing the need for such programs and then the placement of such programs on a particular campus. That is principally the role of the Academic Senate, not the president. When it comes to academic programs, we really rely on the senate to advise us on these matters, and, as appropriate, to act on such matters. The president, of course, works with the senate on this and, in the end, has the authority to recommend it to the Regents and to fund it, or not.

Lage: The universitywide Academic Senate?

Gardner: Or a special committee of the senate would be constituted for that purpose. The budget then follows those decisions. The budget doesn't drive those decisions.

Lage: What about things like the library, with Berkeley and UCLA having the largest ones?

Gardner: There are two regional libraries: the northern regional library in Richmond and the southern regional library at UCLA, where books that are infrequently used but which we wish to retain are housed, thus freeing up the main libraries on campus for the more frequently used materials.

Lage: Are those funded by the president's office?

Gardner: Yes. The northern and southern regional libraries are funded independently of the campus budget, so that Berkeley and UCLA don't bear a disproportionate burden for funding them. They are regional facilities. So the northern campuses deposit at Richmond books that they don't use with any great frequency, and in the southern part of the state, they deposit at UCLA. It's on the edge of the campus there.

In terms of the campus libraries, that's up to the chancellors.

Lage: Because I was thinking of the kind of flagship libraries that the other campuses can draw on, as part of just the intercampus cooperation--

Gardner: That's intercampus loan, and the president's office, I think, funds some of the interlibrary loan and so forth. But how much of the campus budget is allocated to a campus library is a decision the chancellor makes, not the president.

Lage: One thing that made me bring this up is that that seemed to be--I don't know if criticism is the right word--as the budget got tighter, you would hear in the legislature and elsewhere: "They shouldn't try to repeat their programs at every campus."

Gardner: Now, that's different than the libraries. Let's go to programs now. That's an easy thing to say. If you can't get enough money over to the University of California, or you do not wish to get money over to the University of California sufficient to operate it in ways that are consistent with the established range of programs, they say, "There's too much bureaucracy, you're paying the administration and the management too much, the faculty doesn't teach enough, and besides, you don't need all these programs on every campus." I know the litany. It's all part of the litany.

Obviously, you have to look at such issues and make sure those are not credible criticisms, or take corrective steps if they are, but as to the programs, you're going to have a Department of English on every campus, you're going to have languages on every campus, you're going to have all the life sciences and the physical sciences and most of the social and behavioral sciences, and certainly the humanities and the performing and visual arts, and you're going to have a sprinkling of professional schools. So what are you going to eliminate? It's easier said than done.

I remember when UC Irvine Hospital was going under. This was in 1983-84, right after I arrived. The first chancellor I visited was Dan Aldrich who came up from Irvine and said, "Our hospital is going under financially. Here are the reasons." I won't burden you with all that. But one had to do with the unwillingness of the county to provide appropriate and previously agreed to reimbursement for services rendered to the county by UC Irvine.

Lage: For medically indigent?

Gardner: Yes, exactly. And the withdrawal by the private hospitals in Orange County, by and large, from the provision of health care to the indigent. So they just dumped them all on UC Irvine's hospital. The result was our hospital was going under. UC Irvine's proportion of public-paid patients compared with private-paid patients was very high. Indeed, it was not tenable.

Lage: And the public wasn't paying.

Gardner: The public wasn't paying, and you couldn't charge the private patients enough to make it up.

As a result of my visit with Chancellor Aldrich and members of my staff, I went up to the state capital, went to the governor, went to the director of the State Department of Finance, and said, in effect, "Look, you're asking us to take funds provided to the University of California for its programs of instruction and research and teaching in these hospitals, and asking us indirectly to take that money and subsidize the welfare program of the state by paying the medical and hospital services we provide to the indigent and uninsured. We're not going to do that any more because we simply cannot any longer afford to do so." I then described our problem at UC Irvine. I reminded them that we had five medical schools and five major hospitals. We don't need five for the university to exist. We can manage with four, we can manage with three. We don't need them, but the state needs them. Do you want them or not? Now, if you want them, you're going to have to pay for them, because we're not going to do so any longer.

"Here's what we need: we need an infusion of operating funds for the hospital, and we need significantly to improve the physical plant to make it more attractive to private-paying patients, costs are about \$100 million for the physical plant alone. Now, if you want that hospital open and the medical school there, that's what you're going to have to do for the operating budget, because if you don't want to do that, we can't keep it open." The state responded and gave us the money.

Lage: It was a compelling reason.

Gardner: It was compelling.

Now, when it comes to programs of that kind, it's legitimate to ask how many medical schools the University of California should have. It's legitimate to ask how many schools of engineering we should have. It's legitimate to ask how many law schools there should be, and so forth. Should we have more than one veterinary medicine school in the state, or not? Those are

legitimate questions to ask. I don't think it's legitimate to ask about the basic arts and science program. It's also legitimate to ask whether there needs to be a Ph.D. in every program offered on the campuses. They're very expensive. But generally speaking, when these and related issues are raised within the political arena or when discussing our budget, it's just rhetoric associated with explaining why the university doesn't need any more money.

More on Dealing with the Legislature

Lage: We're moving into the legislative hearings. Is that the kind of thing that would come up that you would be required to defend?

Gardner: Yes, that would come up.

Lage: We're moving into how it actually worked in Sacramento in terms of hearings. We covered some of this.

Gardner: We covered some of it. The university has very competent people in Sacramento full-time working with legislators. I think I covered that.

Lage: Yes, you did.

Gardner: The president has to show up as the university's chief representative.

Lage: For those crucial hearings?

Gardner: That's right. And even before, meeting with individual legislators. The president can't just sit in his office and make phone calls. You have to know who you're talking with, and the people on the other end of the line have to feel comfortable with you. I would make frequent trips to Sacramento to become better and more personally acquainted with legislators. And I don't mean by that that I would socialize with them, or that I would go out to have dinner with them with any degree of frequency, or that I would seek to develop a social, personal relationship, because I didn't. I didn't really have the time for it, and they didn't either. But they at least knew who I was, and I knew who they were, and I knew what their interests were, and they knew where I was coming from. We knew each other on a first-name basis, and it was easy therefore to work with them, especially in times of stress and difficulty.

Lage: How did you choose which ones you needed to make this kind of connection with?

Gardner: Oh, that's easy. There's the leadership; you know who they are. There's the president pro tem of the senate, there's the majority leader in the senate, and the minority leader in the senate, and their counterparts in the assembly; and, of course, the speaker of the assembly. In addition to these, you have some senior senators who, by virtue of having been there for an extended period of time, wield disproportionate influence. And then there are the committees which have cognizance over the University of California's budget and related matters. So I would get to know all of these people in both houses.

Lage: That's a lot of them.

Gardner: It's a lot of people, yes. And they would change. At least every other year, it would change maybe a third or more, at least in the state assembly.

Lage: How did you find the reception? Did that change over time?

Gardner: Generally speaking, the reception we received was very supportive. Up until the last year, it was okay. Even when we had difficulty, we worked together. I understood the problems they were having; they understood the problems we were having; and by and large, we worked things out.

Lage: Did they ask intelligent questions?

Gardner: Privately! [laughter]

Lage: That's one thing I wanted to talk about: the kinds of questions that you considered rhetoric as opposed to--

Gardner: Half the world's press is there at the hearings. The audience is composed of students, heads of unions, interest groups of one kind or another, and the legislators would always take account of that in their questions and in the tone of the hearing. These hearings were of marginal utility. They served a public and a public relations purpose, but they weren't substantively very useful. Most of the work was done with legislators personally.

Lage: And the tone and type of question would be different in the hearings?

Gardner: Very different. More formal.

Lage: What about someone like Tom Hayden? How would private conversations with him go?

Gardner: Tom's a very bright guy. He's quite well informed. He has a fairly fixed view of these matters, however. He and I always got along personally. It was never a problem. We had a lot of very good discussions in his office, very free-ranging and very open, and if I thought he was off base, I would say, "Hey, that's just ridiculous." And he would tell me the same thing. This was generally true of my relations with legislators.

But in a hearing, he's a politician, he would have to take note of the fact that the press was there, so he did.

Lage: How about you in a hearing? Did you change your tone?

Gardner: I had to as well. I would phrase things differently. Where I wanted to be a little unclear, I would be somewhat ambiguous, less precise than I ordinarily am. I would be precisely ambiguous. [laughter] In other instances, it was necessary for me to be more aggressive than I might be in private.

Lage: Can you think of an example?

Gardner: Well, we haven't discussed the California Public Interest Research Group [Cal-PIRG], but we will later. There was a hearing where the university's decision not to permit a negative check-off for Cal-PIRG to appear on the registration fee cards was the object of considerable discussion, and it was the second such year where this matter had occupied a good deal of the budget hearing. I remember Representative [Bob] Campbell, Assemblyman Campbell, who chaired the Higher Education Committee in the Assembly--Tom Hayden was on the committee--and the previous year they had directed us to restore the negative check-off for Cal-PIRG on threat of losing \$1 million from the president's office budget.

Well, we didn't, and so the hearing started, and Bob said--he didn't surprise me; he told me he was going to do this--Bob said, "I see, President Gardner, that once again, the University of California has disregarded the express will of the legislature."

I said, "Mr. Chairman, it's certainly not once again. This is the first time that we've been in fundamental disagreement such that we were unable to work out the budget language. You were aware last year in putting these instructions to us in the budget that you reached beyond the purview of the legislature's authority. You were also aware of the reasons we opposed it. So

it should not be a surprise that we have not responded as you would have hoped."

Then I said, "As to disregarding your instructions, we did not disregard them. We regarded them. We just disagree with them." And Tom Hayden said, "Well, Mr. Chairman, so much for the legislature." And everybody laughed. I had to be very direct there, very direct, because they were coming on very strong, and I had to--

Lage: And they didn't have the authority for that kind of condition?

Gardner: No, and they knew it.

Lage: [laughs] That's interesting. We are going to talk more about that.

Lage: Okay. Shall we say anything else about the legislature now?

Gardner: Only that, whereas very competent and respected UC representatives can carry most of the burden in Sacramento, in the end, the president carries the most important part. So any president of this institution needs to both know that and to be comfortable in that arena, and effective there.

Lage: Our representative in Sacramento, Steve Arditti--how closely would you consult with him over an upcoming hearing?

Gardner: Very closely, along with Bill Baker and their colleagues.

Lage: Would you rely on him to--

Gardner: I relied on him completely to keep me informed about the issues that would come up, to make sure the staff work had been done, to reduce the number of issues that I would have to address to the absolute minimum, as against being two-bitted to death by the legislature. He would work that out with the legislators. By and large, there were few surprises. It was all worked out ahead of time. He would make sure the legislators were not surprised by our answers either.

Lage: So they sort of knew what was coming.

Gardner: They knew what was coming. And if there was a real sticking point and it appeared as though he had gone as far as he could to bring a certain legislator along, and we really didn't want this issue coming up in the public hearing because it created embarrassment either for the legislator or for me, and that's

awkward, I would go up and I would meet with this legislator and we would hash it through.

I remember there was an issue involving [Assemblyman] Richard Katz, who was outraged by the University of California's possession of Indian artifacts and very supportive of the movement to return them to the Indian tribes. This was not a budget hearing, but he had introduced a bill to transfer these artifacts to the tribes. I thought his approach unwise, in that it was excessive and overreached. But we were not in the least unwilling to have some conversations for the purpose of trying to resolve this problem. Steve was unsuccessful with him, and I went up and we worked it out. He changed the bill, and the hearing was called off.

Lage: You were able to persuade him that his bill was not--

Gardner: Yes. I offered him an alternative that he thought was acceptable, and the result was that we didn't have a nasty hearing on that issue. Many of what I count as my successes in Sacramento are not generally known, because nothing happened.

Lage: Well, there's a good example. Are there any other examples--

Gardner: Oh, all the time.

Lage: --that you want to mention? Or this is not unusual?

Gardner: Well, what doesn't happen is almost more important than what does happen, and what doesn't happen no one ever hears about. A lot of our successes in terms of avoiding this or preventing that or deflecting this, no one ever knew about, budget items, pending legislation, administrative rules, regulations, and orders, by way of example.

Another point I would like to make is that often, there would be wide disparity between the position held by a legislator and our own view, and even if we didn't succeed in mitigating it entirely, we would often succeed in mitigating it in part. So the apparent differences that arose in public hearing were of a less acute kind than would have been the case if we hadn't been working with them ahead of time.

Lage: I hope as you review the transcript, if specific examples come to mind, that you'll include them. Because I think it just helps to have examples.

Gardner: There are so many. So many.

Lage: I know. It's particularly intriguing when you say, "These are the things nobody ever heard about." They must be in the record somewhere?

Gardner: Oh, sure. Oh, yes. I'll try and think about it.

Lage: They'll come to mind.

Gardner: Anyway, that's an important part of the president's role. It can't be delegated.

Lage: It must have kept you very busy.

Gardner: I traveled to Sacramento a lot.

XIII SOME SUCCESSES, TRIBULATIONS, AND ASSOCIATIONS AS PRESIDENT

The Life of a University President

Lage: This leads, I think, into the third point you wanted to make: the kind of life you have to lead in order to do the job--and that's where the recorder gave up on us last time. It sounded very intriguing. Do you recall what you were going to say?

Gardner: I think I do. This position is one that requires the incumbent to be very self-reliant, because everyone wants something from the president, whether it's money or influence or regard or support or opposition. Almost no one wants to connect with the president for any reasons that are personal.

Lage: You mean that the position itself is almost isolating, it sounds like.

Gardner: It is. People don't see you as a human being. They see you occupying this office. So they feel free to say things about you they would never say about anybody personally.

Lage: You mean in the press, they feel free?

Gardner: Yes, in the press, legislators, people who are irritated with one thing or another. It's amazing. That's the first point.

Secondly, you have to be wary, because almost everyone is after something.

Lage: Does this interfere with friendships?

Gardner: It's very hard to develop any friendship, so the friendships you tend to rely on are the ones you had before you came into office. Which I did, for example; I had a number of friends who were senior professors at Berkeley with whom I would lunch privately.

Lage: It's a poignant statement that you're making.

Gardner: Yes, but it's true. One has to carry a sense of that. I've read that people say, well, they think I'm kind of aloof and so forth. I don't think of myself that way at all. I am a private person, but I don't think of myself as being aloof. But it may be that what I've described to you may give that impression to people. Your antennae always have to be up.

Lage: You have to be somewhat on guard.

Gardner: Yes. And I found that when somebody would come up to you at a reception, and ask a question out of the blue, and if you don't answer them with a no, they will say, "Well, the president didn't say no, so it must mean yes." They'll extrapolate from what you say, or twist it to fit their own desires, and then they'll misrepresent you. So you have to be really careful.

Lage: In what you say, always.

Gardner: Absolutely. Even in casual conversations.

Lage: Good heavens.

Gardner: Yes, absolutely. So there's only a handful of people you deal very openly with. Moreover, you go up to Sacramento and talk to a legislator. If you're not careful, really careful, they'll--quite naturally; I don't mean to single out legislators --the next thing you know, you're being misrepresented in the press.

Lage: So those conversations aren't private.

Gardner: No, nothing is private. You can assume that nothing is private, except for conversations with a handful of friends that you feel confident confiding in.

Lage: That makes family more important, too.

Gardner: It did, absolutely, it did. Family and old friends and the colleagues with whom you work most closely. So one has to be alert wherever one goes, number one. It doesn't mean you can't have a good time and so forth; you just need to be alert.

Thirdly, you are representing the University of California, and how you comport yourself has a bearing upon people's regard for the institution and so forth. So you have to be aware of that, how you dress, the kind of impression you give, how friendly and interested you seem to be--all those things.

Fourthly, there's a symbolic role here. I couldn't go into an international airport anywhere in the world without someone, either from my days at the University of Utah or usually from the University of California, an alumnus or somebody coming up to me and saying, "Hello." You're always on stage. You really are.

And in terms of time, when I talk about the life you lead. This is a twelve- to fourteen-hour-a-day job. If you include the social life, it's even more.

Lage: The sort of business-social life.

Gardner: The social life is mostly all business, almost all business, for the reasons I've indicated. Whereas I did not come into the office Saturday and Sunday, I put in a lot of hours over the weekend, either on the telephone or reading background materials or attending functions of one kind or another. I would not do it on Sunday, but--

Lage: You kept that--

Gardner: I kept that free. But Saturday would be consumed, by and large, with some function, either an alumni function of one kind or another, or an athletic contest, which I enjoyed, but you're still there--

Lage: You're still on stage.

Gardner: You're still on stage. Or a dinner in San Francisco or Los Angeles or some function some other place. So this is a way of life. It's not just a job. And I don't say that out of any regret or bitterness; I'm simply describing it. That's the way it is. I knew what it was like when I took it, so that's okay. I knew what it would be.

Lage: You knew what it would be, even though it was I'm sure much more complex than the University of Utah with the one campus.

Gardner: Yes. Well, it's only more complex in the sense that, let's take the budget. Budget issues are just the same, not any different, basically. You just add three zeros in California compared to Utah. [laughter]

So that has an effect on your family. Now, we tried to involve our family, as I mentioned, at the University of Utah. We did involve them extensively, and those times represent some of our fondest memories; and Libby was involved extensively at Utah. Libby and the children were much less involved at the University of California, simply because we have nine campuses

and the chancellors took the lion's share of the social burden for their respective campuses. So I found myself being able to involve Libby less than in Utah, and I found myself traveling much more, and in fact being burdened down with work at home more than at Utah, which I didn't care for, but that's the way it was.

And the travel schedule is horrendous at the University of California. Not bad at the University of Utah, not bad. University of California is just--

Lage: Is this travel to the various campuses, or all the other obligations?

Gardner: Oh, it's just everything, everything. This is a huge state. You have some function you have to attend in San Diego, or functions in Los Angeles or San Francisco, and nationally and internationally as well.

Lage: Would Libby go on those with you?

Gardner: Sometimes, and sometimes she wouldn't. It depended.

Lage: It wasn't required?

Gardner: Not as required as at Utah, and not as easy as at Utah. She did a lot of it, but I think proportionately not quite as much. And then we entertained a lot at Blake House. We would sit down at the first of the academic year and plot the entire year out.

Lage: You probably did better than anyone else has done in keeping that little bit of time for yourselves.

Gardner: I think so. I remember Clark Kerr told me once that he was out every night for three months running, and he said, "Don't you ever do that."

Lage: That's the kind of advice you like to hear.

Gardner: I liked that. [laughter] So it does have a dramatic effect on your lifestyle.

The Keck Telescope

Lage: Shall we go on to discuss these few things that appeared on the outline, and they don't have specific relationships with each other, but they're all important?

Gardner: Surely.

Lage: You had mentioned the Keck Telescope.

Gardner: Have I not talked about that previously?

Lage: Not in any great detail.

Gardner: Oh, that's really an interesting story. In the late 1970s and early 1980s, the University of California was anxious to have greater telescopic capability for its astronomers and astrophysicists and others interested in this area. There had been a report to President Saxon proposing that. The proposal anticipated a new engineering approach to the creation of an optical telescope. It had been conceptualized by a young professor at Berkeley who was also at the Lawrence Berkeley Lab, Jerry Nelson. They wanted a ten-meter optical telescope, that is, ten meters in diameter; but one could not devise a way of constructing such a large single piece of glass that would not collapse on itself, basically.

Jerry Nelson devised a new way of doing this. It would be a ten-meter diameter optical telescope with thirty-six hexagonal mirrors, each ground in relationship to the other thirty-five, and each adjusted by computer several times a second to the other thirty-five for wind, temperature change, movement, and so forth.

Lage: Was this a really new concept?

Gardner: Completely new concept. It had been reviewed and accepted by the appropriate parties on the faculty in this area. Dave Saxon was encouraged to raise the money for it, about \$70 million, and he set out to do so.

To make a long story short, they hadn't had any success in this. When I came, Dave said, "This is unfinished business, but we've got to keep at it," and I certainly agreed with him.

Well, a few months into it, I didn't see any success coming either, but all of a sudden, there was an article about this project in the newspaper, and the brother of a woman in Los Angeles (who lived in San Jose) read it and called it to the attention of his sister, who was the widow of a very wealthy businessman.

Lage: Named Keck, I'll bet.

Gardner: No. Named Hoffman. He got a royalty on every Volkswagen sold in the United States, among other things. He passed away, and she

wanted to memorialize him. The brother thought this would be ideal, because Mr. Hoffman liked things mechanical and so forth. So there were some conversations between our key people at UC Santa Cruz, which had the lead on this, with the Lick Observatory, which Santa Cruz administers, and Mrs. Hoffman. It was to the point where she was ready to give half the cost of this telescope, \$35 million.

I was then invited down to close the deal, which I did. I was down on a Thursday afternoon. We did close the deal. She said she would have the papers drawn up the next day. She died at noon the next day, quite unexpectedly.

Lage: Oh, you're kidding! What a blow.

Gardner: What a blow! The papers had been drawn up, but they had not been signed. Now, her secretary knew all about this and was the executor for her estate, as I recall. I am doing this from memory, I think it's correct: her assets went into her estate, and then her estate was to flow over into a foundation to provide grants for various worthy purposes. The trustees of the foundation were to consist of three people, one of whom was the secretary, one of whom was either Mr. or Mrs. Hoffman's sister, and the third was to be elected by those two. That's my recollection.

Mr. or Mrs. Hoffman's sister, who had not been involved in this, was less enthusiastic about this project than Mrs. Hoffman had been. The secretary, sensing this, and as the estate's executor, disbursed \$35 million to the University of California, to discharge what she knew to be Mrs. Hoffman's intentions.

Lage: Before it went into the trust.

Gardner: Before it went into the foundation.

Lage: So the deal was closed.

Gardner: So we got \$35 million. There was some protest, I believe from the sister, but we got it. We then had to raise \$35 million more. Of course, being a named telescope made it more difficult to raise money from others. It's not easy to raise money when somebody else's name is on it.

In any event, I then called Caltech [California Institute of Technology]. I called Murph Goldberger, who was president of Caltech, and said, "Do you want in? We have \$35 million, and if you raise \$35 million, we're in fifty-fifty." And between their astronomers, astrophysicists, and others, and the University of

California's, we would have had a lot of talent in that area. Caltech was in any event looking to expand their Mount Palomar observatory on Mount Wilson, they were looking to expand, so this was a good opportunity for them and, in my view, for us as well.

They said, "You bet we want in." They knew all about this project, of course, and they wanted to do it. Murph went out and raised, I don't know, \$15 or \$20 million, and went to see Howard Keck of the Keck Foundation. Mr. Keck said, "I'm not going to give you \$5 million for this. I'm going to give you \$70 million for this, and I want it named after my late father. This is a wonderful project; I want my father's name on it. I'll give you the whole amount of money, entire cost."

Murph called me when we were vacationing in Montana, told me of his conversation with Mr. Keck, and said, "I don't know what to do about this." To make a long story short, we agreed to have our respective scientists determine whether or not two 10-meter telescopes, linked together, would be worth considering, as it would give us the equivalent of a 14.2-meter telescope, with infrared and interferometer capabilities, and some other things.

Thus, a group of scientists got together from UC and Caltech, Charlie Townes and some others, and they said, "Yes, such an arrangement would be highly desirable if they could both be funded."

Lage: Thinking big.

Gardner: Yes. So I said to Murph, "See if Keck is willing to have the second one named after him, and I'll ask the Hoffmans if they're willing to have the first one named after them. Then we'll have two." Mr. Keck said, "Sure, no problem at all, fine." I then went to the Hoffman interests. By this time, the Hoffman Foundation had been created. The sister was much involved, and they said, "No dice. You said you would build the world's largest telescope and name it after Hoffman. Now we're going to have only one of two of the world's largest telescopes. That wasn't the deal."

Their attorney, Mr. Cox, came out from New York, Mr. Nixon's son-in-law. He came out, very nice, but the message was very clear, that it would be a long time before they would agree to this. They might not even agree to it. Meanwhile, our costs were escalating, and we didn't know what to tell Mr. Keck.

I raised this issue with the Regents, and in consideration of all that had happened, I was authorized to return the Hoffman gift, and we did.

Lage: Wow. That's a lot of money to return.

Gardner: It killed me to return it. We returned \$35 million. I felt very badly for the late Mrs. Hoffman, who lost the chance to memorialize her husband with this project as was her clear intention to do so. I should think that those who resisted doing so would be embarrassed and, perhaps, regretful given the fact that both telescopes were built and neither one carries the Hoffman name.

Then we proceeded with Mr. Keck's gift and we built the telescope. When we announced it at Caltech, I was down for the announcement, and I was walking across to the luncheon after the press conference with Mr. Keck. I recalled the Hoffman story for him; he knew what had happened, and I gave him a few details he didn't know about.

Lage: To Mr. Keck?

Gardner: To Mr. Keck. I said, "You know, it's really a shame, because we really do need two telescopes there." He said, "Well, I'll tell you what. If the first one works, I'll build you the second one," and he did.

Lage: That's a good friend of astronomy.

Gardner: How about that? So the deal was that the money went to Caltech for the building, and the University of California would pay to operate it until UC's cost of operation equalled the cost of building them. Then Caltech and UC would share the cost of operating the observatory. We created a nonprofit corporation to build it and operate it.

Lage: And the Keck money funded both aspects? It funds the operation too?

Gardner: No. UC paid to operate it, Caltech paid to build it, with Keck money. This is a nonprofit corporation where Caltech and UC are fifty-fifty partners. We built it, it's up; the second one is almost up; it will be operational next year. It's a wonderful story. It ought to really be written up.

Lage: Yes, it is wonderful.

Gardner: And I remember going up for the groundbreaking of the telescope. Jerry Nelson and I went up in the same jeep together. We stopped at the base camp for about an hour, and then we hopped in the jeep and went up to the top of Mauna Kea in Hawaii. I said,

"Jerry, this is a new concept." "Yep." "Are you sure it will work?" "Well, I hope so," he said. [laughter]

Lage: Did you ever doubt it?

Gardner: He said, "I surely hope so." I mean, all I knew about it is what he told us.

Lage: That's right. You've got to have faith in your people.

Gardner: We did, and it's been a superb success, great success, of course. It was a fun project.

Lage: Would the arrangement have been different if the Hoffman money had built it?

Gardner: Yes, it would have been a University of California telescope. As it is now, we share half of it with Caltech, but we have two instead of one, so we're just as well off, as far as I'm concerned. It worked out real well.

Lage: I'm sure the collaboration is a good one.

Gardner: Worked out very well.

Lage: Great. Well, that's a nice story. It's good to have these upbeat stories.

By the way, we're paying for it from overhead on federal contracts and grants. That's our share of it. That's where some of that discretionary money is going.

People's Park

Lage: Now, from Mauna Kea to People's Park.

Gardner: People's Park: what a mess.

Lage: How much did the president's office get involved?

Gardner: I got involved because of the complaints about it: the number of homeless who made it their home, the number of drug deals going down, the increase in crime, the effect of these forces rippling out into the surrounding neighborhoods, the thousands of UC students living in that part of the city, complaints from

parents, students who otherwise would be choosing to come to Berkeley choosing not to come to Berkeley because of it.

Lage: And the president hears about that, as well as the chancellor?

Gardner: Oh, you better believe it. I'll say.

Now, this was a problem that was growing, and Chancellor Heyman and I had several conversations about it. We were not getting much cooperation from the city of Berkeley, so it was a real tough problem for Mike.

Lage: Did he feel as you did about the problem?

Gardner: I think Mike's assessment of it was the same, but I think he was more apprehensive about doing anything about it. Because after all, he was on the line there. I was in Oakland. He was on the line, so that's perfectly understandable. I would say he was more cautious about doing anything, more concerned about offending the city, and more worried about the possible social disquietude that would arise from any initiative on our part.

But it was crystal-clear that this issue was getting worse and not better, and the Regents had had it.

Lage: So you heard from the Regents on it.

Gardner: I was hearing from the Regents, I was hearing from the legislators, I heard from the governor, I had letters coming in, I heard from the parents, and I knew first-hand how bad it was in any event, because I knew the area intimately.

Mike and I had a series of conversations about what we might do. We then had a series of discussions--I did not, but Mike did--with the city. Those were protracted discussions, and not easy. Now, the mayor had her own problems, because she had the same apprehensions Mike did.

Lage: Right, Loni Hancock.

Gardner: Loni Hancock. It took a long time for us to finally hammer out an agreement. It was just about the time Mike was leaving, as well, and I figured if we didn't get this done by the time he left--

Lage: Hard to start over.

Gardner: Hard to start over, and not fair to Mike's successor. And a lot of things happened, I don't recall all the particulars, but Mike

was hoping to simply work out a deal with the city. I pointed out to Mike that he didn't have the authority to enter into an agreement with the city without regential approval. He didn't want to take it to the Regents because of the publicity and the fact that the Regents' views on this were neither settled nor predictable.

Lage: The Regents would have to approve whatever was done?

Gardner: Approve any lease agreement. He wanted to lease People's Park to the city.

Lage: I see.

Gardner: And then--I can't remember all the particulars, it's been a long time--but he finally worked out an agreement with the city. I don't recall if it was a lease or not. I think it was an agreement with the city as to the uses of the park. They would assign city police to the park, not just depend on UC to do it. UC would develop recreational facilities there, we would prevent certain other things from happening there, would police it more intensively, e.g. people couldn't sleep overnight in the park. There were a number of things we undertook to do. And it was not easy.

I was convinced that if we didn't do something constructive to improve the area, something more negative would be done. After all, the Regents owned it, and they had had it, and the public had had it, and at this point, the students had had it. They were supportive of what we were doing. Personally, I was not unsympathetic to keeping it as open space. After all, it's a very densely populated area, and open space there would be fine. But I didn't like the crime and the drug usage and everything else that was going on there, and the effect it had on Telegraph Avenue and environs. I was convinced, if we couldn't work out something with the city, the Regents would simply build a residence hall there or something else.

Lage: Which had been the original plan.

Gardner: Yes. They would just build it there, or they would put the new campus police station there, or something else. [laughter] Which I thought would be more awkward than what we had. So we finally worked it out, and we got an agreement with the city, and it was a five-year deal. I just have been reading in the paper that that's expired, and now they're going to discuss it again.

Lage: Was it hard to sell the Regents on the deal you did work out?

Gardner: Yes, it was. It was difficult. Some of them were not happy. They thought that we would just be fussing around and fussing around with it, incurring a lot of expense with nothing in return. They did not trust the city to do what they said they would do. They knew the administration of Berkeley was going to be changing, so for a lot of reasons, they were not sympathetic, but if the chancellor at Berkeley and the president wanted it, it's difficult for them to substitute their judgment on something as sensitive as that. I thought it was the right thing to do at the time, all things considered.

Lage: It seems to be improving.

Gardner: It's a lot better than it was, but it's still not what it really should be. But I think it is better. And I would say Chancellor Tien has done a very fine job of honoring his commitments--I mean the university's commitments. I think the city has also been much more responsive. And it's certainly not as bad today as it was in 1989 and '90. It was a source of great controversy. I would get calls from individual regents telling me, "We've had it with this, we're not going to--I went down to see it the other day, and how can we do this? How can we let this go on? Do something!"

Lage: So these things probably involve the Regents more than some of the big-time policy decisions.

Gardner: Oh, yes. They had pressure from parents who came, students--one of my daughters lived just up the street, and one of her roommates was chased by somebody from People's Park right up to her front door. She barely got in.

Lage: And it affects Telegraph Avenue a great deal.

Gardner: Affects Telegraph Avenue, and the safety of everybody there. It was a bad scene, and I think it's better, but certainly not what everybody might hope. But that's now somebody else's problem to deal with.

Lage: Yes, and some things are not within the university's control.

Gardner: We did what we could. I thought we did--we took the most optimal option then available, in my opinion.

Lage: Good way of describing it.

The University's Relations with Other Universities in California

Lage: Now this is something that's totally different. I don't think we've really discussed very much what the president does in terms of relating to the state universities, the private universities--well, Caltech is an example there.

Gardner: Right. Well, there are formal and there are informal relations. The formal relations are embodied in the California Higher Education Roundtable that Dave Saxon put together and which I followed through on. This is a roundtable composed of the state superintendent of public instruction, the chancellor of the California Community College system, the chancellor of the California State University system, the director of the California Postsecondary Education Commission, and a representative from the private universities and colleges--

Lage: Just one?

Gardner: Just one--and the president of the University of California. They meet quarterly. We would discuss issues of common concern to the higher education community in the state. I would say it was modestly useful.

Lage: Would it have a staff member who--?

Gardner: Yes. There's not an independent staff; each of the principals had staff assigned to it. And it was useful, but it was not earth-shaking.

Lage: You didn't grapple with the key issues--

Gardner: Well, we did, like on the Master Plan, we would--that would be very constructive. We grappled with the larger issues, budget issues, fee issues, but no decisions were really taken there. It's just a means of keeping in communication with one another.

Lage: Kind of a formal meeting.

Gardner: Yes.

Lage: What is the Commission on Postsecondary Education?

Gardner: It's a legislatively created commission composed of a board appointed by the governor, the legislature, and the three public segments of higher education, including a representative from the private sector. They look and see what the whole higher

education apparatus is about. They don't have any executive authority, basically.

Lage: They just watch--

Gardner: Well, more than that. They watch, and they offer judgment, and they prepare reports, and their statistical base is very helpful; their database, I mean, is very helpful. They will do studies on longterm trends. They'll offer the legislature advice on new programs that are being proposed, and so forth.

Lage: Do they comment on the university budget?

Gardner: They will comment on the budget, not in any great detail, but as to its general adequacy or inadequacy. And there's always been a little tension there, but it works okay.

Lage: Were they friendly to your administration?

Gardner: I got along fine with them, by and large. I had some disagreements with the commission that was constituted to look at the Master Plan, because they were proposing to divert students from the University of California to the community colleges without a corresponding change in the eligibility pools for CSU and UC. I tried to make the point that no one diverts anyone. Students decide themselves. They either choose to go or they don't choose to go, unless you want us not to make eligible for admission the top 12.5 percent. And they didn't want us to do that; so they were just playing a game. I didn't care for it and called them on it, and they didn't like my doing so.

Now, in addition to the formal relationships, there were the informal relationships. I would be in communication with Ann Reynolds (Chancellor of CSU), not frequently, but occasionally; with Barry Munitz, when he came; less frequently with Dave Mertes of the community colleges; and Pat Callan when he was director of the California Postsecondary Education Commission. We would see one another from time to time. I would not say it was extensive or frequent, but sufficient.

Lage: Just sufficient, and that's what I wanted to get at.

Gardner: Sufficient, yes.

Lage: There was, I think, at one time during your presidency a time when you took a stand opposing Ph.D. programs in the state. What was behind that?

Gardner: Yes. In 1960, when the Master Plan was approved, the Master Plan created the California State College system, and it aggregated institutions that had been under the aegis of the State Board of Education--San Francisco State, Sacramento State, San Jose State, San Diego State, Long Beach State, and so forth--and made a state college system.

Lage: Took it away from the State Board of Education.

Gardner: Correct. Gave it its own board, gave it its own executive officers, gave it its own budget, and gave it its mission and named the new system the California State College System. That was all part of the Master Plan. Ever since then, there have been internal pressures to expand CSU's mission, to increase the number of graduate programs offered, and to increase the research capability of these institutions. So there's been a lot of tension. I don't mean acute, but chronic tension between the University of California and the California State University as to issues of mission and role.

In the late eighties, I think it was, mid to late eighties, Ann Reynolds, who was then chancellor of the California State University system--it later became the California State University system, not the California State College system. Now it's the California State University system, and the name change itself reflected a certain mission creep, as it were--

Lage: Mission creep, that's a good way of putting it. [laughs]

Gardner: In the mid 1980s, they were creeping again, this time toward the Ph.D. There was an effort being made quietly in the legislature to raise that issue again, that is, to allow CSU to offer the Ph.D.; although there was no official intention to do so, there was informal groundwork being laid.

Lage: Is this the kind of thing that your legislative representative alerts you to?

Gardner: Yes, he knew what was going on and who was talking to whom. Our friends in the legislature would tell us the governor was unfriendly to this, and his people had heard it, and I heard it from CPEC, and so forth.

I saw Ann Reynolds, chancellor of the CSU system and now chancellor at the City University of New York, once up at Blake House. We had a meeting of the Roundtable, and I said, "Ann, I need to see you on a matter," so we went in my study. I shared some of this information, and she said, "We haven't decided whether we're going to do this or not," and so forth. I said,

"Well, you'll decide if you think you can get it. So I need to know if you're going to pursue this, informally, indirectly, formally, directly, or not. Because if you are, then we will take certain steps to counter your efforts. I want you to know that. If you're not going to pursue it, we won't bother. If you are, we will bother. And you won't get it."

Lage: [laughs] How did she take to that?

Gardner: She said, "Why do you think that's the case?" So I told her why, and I said, "You know, we have a lot of common problems. We ought to be working together on any number of other issues instead of being divided on this issue. And in the end, you won't get it, anyway. So I don't think this is a productive use of your time or ours and our disagreement on this issue will be used against us politically."

As a result, they gave it up.

Lage: Why do you feel so strongly about it?

Gardner: Because if CSU had authority to offer the Ph.D., the mission assigned to UC and CSU would become essentially indistinguishable, and the cost to the state of supporting Ph.D. programs in those two institutions would be so prohibitive that the funding for these institutions would in general then prove to be insufficient. In other words, it's not just a matter of saying, "We're going to offer a Ph.D." It goes to the question of the teaching load of the faculty and their levels of compensation, adequacy of the library, nature and character of the laboratory equipment and the labs, clinical space for certain programs, character of the buildings. Support staff; the research infrastructure. There's no end to it. It's not just a new degree; it's a change in mission. And the cost of those programs is maybe six to eight times greater than it is for the average undergraduate. We have limits within the University of California in terms of what we can do there. Then if you add this to the mission of the California State University and fund them for it--

Lage: And have each one competing to have a Ph.D. program--

Gardner: Competing, yes. I mean, that says it all. That's the reason you have a Master Plan, to differentiate the pool of eligible students on the one hand, and differentiate the mission by institution on the other hand; so we just don't duplicate everything across the board. I thought that would essentially vitiate the Master Plan, and then it wouldn't be much distance

between that outcome and simply merging the two systems, with all the adverse implications flowing from that.

Lage: And you were quite confident, it sounds, that you could defeat the effort.

Gardner: I can count. One thing I can do is count, and I knew what the votes would be in the legislature.

Lage: [laughs] Okay. That's a good short but sweet story--I think it illustrates the relationships.

Gardner: Yes. I mean, perfectly cordial, we got along, but it was a very straightforward conversation.

National University Associations

Lage: What about national associations? Is that an important part of your role?

Gardner: Yes, that's an important role. The American Association of Universities, an association of the fifty-some leading research universities of the country, was an important membership for UC's president. The president of the University of California has historically played an important role there, and that's where the research universities' presidents get together twice a year and deal collectively with their national issues, dealing with the Congress and the president. I was an active participant in that. I would represent the association in connection with congressional visits. I was with a small group that would meet with the president periodically.

Lage: On legislative issues?

Gardner: Yes, legislative issues, student financial aid, research, overhead, national policies that implicated us, tax policies, everything.

Lage: Would that organization take a role in something like the Stanford problems with overhead on federal grants?

Gardner: Not directly. They would deal with the larger issue of overhead, but they would not involve themselves in the overhead issue, for example, at Stanford. Not in any direct way at all. They would be asked about it, but they wouldn't get into it specifically.

Lage: But it did sort of have implications for everybody.

Gardner: It had implications for all of us. There's a distinction between dealing with the generic issue on the one hand and dealing with the particularized issue on the other. Even though you got into the problem by virtue of one or more incidents. So I was active in that.

I was not so active in the National Association of State Universities and Land-Grant Colleges, but the vice presidents were all active there. I had my own contacts before coming to California within the United States Senate, United States Congress. When Mr. Bush was president, for example, his chief domestic advisor and national security advisor were both personal friends of mine.

Lage: Who was his chief domestic advisor?

Gardner: Roger Porter. He's from Harvard, he's now teaching at the JFK school there.

And then his national security advisor was Brent Scowcroft, who's a friend of mine, General Scowcroft. I knew them both and I would meet with them periodically. I had my network of contacts. They were both Utah contacts, by the way.

Lage: Was there any kind of formal organization of the top research universities, the UC peer institutions?

Gardner: No, nothing formal.

Lage: Was there an informal one?

Gardner: Yes, informal. I would be in touch with, oh, the president of Michigan, the president of Harvard, the president of Princeton, Stanford, Caltech, MIT, and a handful of others.

Lage: Just over particular issues, or--

Gardner: Well, national policy. You know, these institutions have tremendous impact, if they're of one mind. We have our network, so we keep each other informed informally.

Lage: Were there a lot of correspondences--

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Gardner: We had much in common with the private as well as with the public universities. For example, our ability to issue debt

instruments, to build residence halls or buildings, affect us both. Tax policies affect our fundraising efforts. Federal programs of research impact us directly, whether private or public.

Lage: Student aid.

Gardner: Yes, student aid impacts us directly. What the National Institutes of Health does impacts us directly. Health care policy impacts all of our health facilities, our hospitals, our clinical programs. Right down the line. So it's a big arena. People tend not to think about it.

Lage: Is there more we should talk about in terms of it, or is this kind of the back--

Gardner: No, really, it's just a big job.

Business-Higher Education Forum

Gardner: And then you asked about the Business-Higher Education Forum [1984-1992; chair, 1988-1990].

Lage: What was that?

Gardner: Well, let's see. Who started that? I think Jack Peltason started it when he was president of the American Council on Education. The American Council on Education got together with the AAU, the American Association of Universities, and said, "There's not sufficient communication between the heads of our major corporations in this country and the heads of the leading universities, and we ought to remedy that." So they created the Business-Higher Education Forum. This is about twenty-five CEOs and chairmen of various corporations and the presidents of the same number of leading universities. We met twice a year, and we would discuss specific issues.

For example, when I chaired it, we took K-12 as a theme, because I had been involved in the national commission's report, and we had two very good sessions on K-12. In fact, I introduced President Clinton twice when he was then governor of Arkansas for those purposes. He was really very--

Lage: You introduced him to the group?

- Gardner: Yes, to the group, and he presented what was going on in Arkansas, which was quite a bit, did a good job, very well informed on it. Other key people who were there, heads of foundations were invited and so forth. I chaired that for two years.
- Lage: What was the actual purpose? Was it to inform business?
- Gardner: It was to make sure that the higher education community had a sense of what the business community was thinking about the work of the universities and colleges in the country, and to make sure the business people in fact knew what was going on in the universities and colleges, and to take up certain issues of common interest and concern. For example, the economic development of the country, the issue of labor markets, trade policies, that have a dramatic effect on businesses, and have an effect on our ability to recruit foreign students to universities and so forth. There's a lot of common interest there, and the sessions were very interesting. A lot of personal friendships were developed, and that's all good.
- Lage: How did the business leaders get selected? Who was on it?
- Gardner: The founding universities did it, and if you had, say, the president of the X University and maybe one of his regents or trustees was chairman of Ford Motor Company or something, then he would, "I'll call so-and-so." So that's how we did it.
- Lage: There are those connections in another way.
- Gardner: Yes. That's how we did it. There's a lot of power in that room.
- Lage: Yes.
- Gardner: We were all sitting around in Levi's visiting for two or three days. It was very good.
- Lage: Sort of a retreat setting?
- Gardner: Kind of a retreat, yes. We would have speakers come from-- members of the cabinet would come and speak, heads of other major organizations would come and speak. It was very good.
- Lage: It sounds quite interesting. Would you come directly back and see that it affected your work here, or was it more indirect?
- Gardner: It was additional perspective and information for me, which I would then share within the university itself, the chancellors and vice presidents and so forth.

Lage: Okay.

Gardner: Now, I'm trying to think of other things I was doing.

Lage: In terms of associations?

Gardner: Yes. I did most of this--I was on the National Commission on Higher Education Issues 1981-82, that's before I came to California. I was on the National Collegiate Athletic Association [NCAA] Select Committee on Athletic Problems just before I came to California.

Lage: Before? That must have been interesting.

Gardner: National Commission on Student Financial Aid just before I came to California. Member of the Postsecondary Organization and Management Studies at the National Institute of Education just before I came to California, et cetera. I wasn't involved nationally very much after I got to California. Too busy here.

Lage: I wonder if you were a bit busy. I don't think I even have that most recent résumé that you are referring to. Is that an extra copy?

Gardner: Sure. [See Appendix.]

The Technology Transfer Initiative

Lage: The next item here is the technology transfer initiative, which sounds very complicated and interesting.

Gardner: Yes, it is complicated.

Lage: How did it get started, and what was it?

Gardner: In the 1980s and even before, there had been considerable attention paid to the lack of connection between university research and the needs of business and our society, that is, how the business community and the larger society could benefit from the research occurring in these institutions.

There's a disconnect for a number of reasons: issues of intellectual property, issues of proprietorship, of secrecy--I don't mean in the governmental sense of the term, but people not sharing issues of patent rights, royalties, licensing--it's very complicated. The interplay of these and related issues between

the law, university policies and practices, and competitive business interests makes for an extraordinary set of problems. Several universities were probing and struggling to see what they could do.

Well, this is a minefield, and so I decided to struggle with it informally before dealing with it formally. I started the conversation with the national labs rather than with the campuses. The labs were doing some unbelievably interesting work that was potentially of great benefit to American business and to America's competitive position worldwide.

Lage: So this was your initial concern, not money for the university?

Gardner: It was not just money for UC, although we stood to benefit modestly, but it was principally how to link what we were doing institutionally to the requirements of the larger society. Our most important product, of course, was our students, but research in the natural and physical sciences, engineering and other areas was also of direct benefit to the country: employment, our international position in global markets, cutting edge technology, and so forth. So we were looking for ways of trying to encourage and facilitate this exchange of ideas between the campuses and the labs on the one hand and our other institutions in American society on the other.

So we started with the laboratories, and we managed to help rewrite some of the U.S. Department of Energy's policies with respect to patent rights, royalties, and so forth, and of the means by which scientists at UC-managed labs could interact with the private sector. This was toward the end of my administration. We finally got that done, Brady being the prime mover in getting it done. I then put some nuclear science monies into the laboratories for the purpose of encouraging an exchange of work between lab scientists and professors on UC campuses and asked Frazer to encourage that effort. In this fashion, we managed to engage both the labs and the campuses in this initiative.

Lage: You mean more cooperation?

Gardner: More cooperation. There's a lot of work going on in the lab that's not classified at all that would be of direct and immediate interest to members of the University of California faculty, as it was already to UC graduate students, over 200 of whom were doing their Ph.D.'s at these laboratories. This was an effort to facilitate the flow of personnel and ideas between the labs and our campuses.

Then toward the very end of my administration, the whole issue of tech transfer became a hot topic. We were being pressured by Sacramento to think more seriously about it and to see what we could do to earn income for the university in this fashion, and to assist American business in its competitive position, which at that point wasn't looking too good. In response and in order to move this initiative to a higher level of potential, I asked Bill Frazer and Ron Brady, Bill being my academic vice president and Ron being my administrative vice president, to see what might be done. We appointed a committee of faculty members and administrators to look at it. Coincidentally, we had been increasing our emphasis on the work of the patent office, believing that we were foregoing a considerable income by not being more aggressive in patenting faculty inventions, drawing royalties and licensing fees from them.

Lage: Maybe you could give just a little background on the patent situation?

Gardner: Yes. The Patent Office had been in existence for years. It was nothing new. But it was generating around a couple of million dollars a year or something like that. Not much. I looked at Stanford and other places that were getting double-digit millions.

Lage: These were for inventions that faculty members had done in the course of their university research.

Gardner: Yes. But we hadn't encouraged it, we hadn't undertaken to systematize or institutionalize this effort as we should have. We hadn't looked at our policies for a long time. Shortly after I came, I asked Ron Brady to look at these policies with Bill Frazer, and they did. We made a number of changes.

Lage: To encourage more patents?

Gardner: Yes.

Lage: Or to encourage more use of university-developed research?

Gardner: No, to encourage more patents.

Lage: To be taken out.

Gardner: And as you take out patents, then you license them to the private sector, so you're doing both, basically. But we wanted to make more aggressive use of the Patent Office. It worked. Instead of getting around \$2 million a year, we were getting well in excess

of \$30 million a year when I left office, and it's still rising. That's helpful money. So we built up the Patent Office. That's a parallel but separate track in terms of technology transfer, although there is a relationship, but it's not one-on-one. But we were building up the Patent Office well before the more formal and highly visible technology transfer program came into place.

The whole technology transfer thing came about as I was leaving office. Ron Brady was driving it. He was being urged to do so by Willie Brown, speaker of the assembly, and a number of other people in Sacramento.

Lage: What does this involve that's different from patents?

Gardner: It involves issues that relate to who owns what, how much time faculty members can legitimately spend on campus doing work that might in the end be proprietary. It involves research being done by graduate students that might prove to be proprietary. It bears upon the willingness of faculty members to share what they're doing with other faculty members and their graduate students if they think they can profit from it personally--all kinds of problems.

Lage: So those are the downsides.

Gardner: In terms of the downsides, they have to be worked through, and we were trying to work them through. I would say the faculty was more reluctant to give it a green light. Those who were working on the administrative side were more inclined to give it a green light. They were interacting, not in an adversarial way, but were dealing with these difficult matters just as I was leaving office.

Lage: Let me just clarify, because I want to be sure that what I have understood as technology transfer is right. Does it involve the university setting up businesses or investing in businesses?

Gardner: Well, it could. But generally, the university would not set up a business, but an individual professor might.

Lage: I see. And then the university--

Gardner: Then the question is, did the source of the business derive its origins from the university, and if so, was a university lab used for this purpose? Was it used extensively? Were there other university costs incurred in connection with what was to become a private endeavor for which the university was not reimbursed?

Lage: But there must have been ways of working out reimbursement.

Gardner: That's what we were trying to do. We were trying to work all these problems out. There was a lot of enthusiasm for technology transfer on the part of Sacramento, on the part of some faculty members, and on the part of the administration. There was less enthusiasm on the part of faculty members who were generally not in fields where their research had proprietary potential, and who saw all the downside, without any of the corresponding benefit. So it was in part a fight within the faculty, a fight between the administration and the faculty, and encouragement from the business and the governmental communities.

When I talked to a congressman or a congresswoman, they would say, "We're giving you \$900 million a year for research and what do we get for it? American businesses are languishing, and your university locks it up," on and on and on.

Lage: So those are the pressures.

Gardner: A lot of pressures there, and we were trying to respond to those. We're trying to get more money for the institution, and yet we're trying to be sensitive to all the downsides so as to avoid the downsides while maximizing the benefits.

This hadn't reached fruition by the time I left, although some preliminary proposals had come to me, but I turned them away, because they hadn't been worked out completely. When Jack Peltason came in as president, he made this initiative one of his major efforts. He really wanted to move with this. He had some experience at UC Irvine with Hitachi Chemical Research, which had built a major laboratory at UC Irvine and reserved the top floors for their researchers, while providing UCI, at no cost, the bottom two or three floors.

Lage: What was the benefit to Hitachi?

Gardner: They have regular interaction with UCI professors in the same or related areas of research.

Lage: And UCI got a new building.

Gardner: That's right.

Lage: Was that controversial?

Gardner: It was, but I wouldn't say acutely so. It was noticed.

Lage: On the campus?

Gardner: Yes. And the way Chancellor Peltason, later President Peltason, looked at it was, Hey, I get a building for nothing. I'm not getting it from the state; I had better get it where I can.

Lage: Had you been happy with that?

Gardner: I thought it was all right. I still think it's okay. I was not happy with some of the earlier proposals on technology transfer.

Lage: Where I got a lot of background was the series the [San Francisco] *Examiner* ran, which was extremely critical, and I don't know how well informed it was, about the biotech development in the East Bay.

Gardner: The effort I have just described in the University of California had been ongoing for some time.

Now, as to the *Examiner* article or series of articles. Harbor Bay Isle, which is adjacent to Alameda, was being privately developed as a biotechnology park. This project was headed by Ron Cowan, a private developer. He had been trying to develop Harbor Bay Isle for years. Ron Brady, who was my administrative vice president, was appointed by Mayor [Lionel] Wilson of Oakland when we were moving to Oakland to chair the Oakland Port Commission. The Port Commission owns a tremendous amount of land near the biotech park that Ron Cowan was hoping to develop on Harbor Bay Isle. They, therefore, came to know one another.

Ron Cowan then learned of the technology transfer initiative and became very encouraged about it, believing that some of the work that UC was contemplating might be done at Harbor Bay Isle. The Livermore Lab was right over the hill from Harbor Bay, and you had Berkeley and UC San Francisco nearby as well, and Davis was not all that far. It was, therefore, not unreasonable for Ron Cowan to believe that research facilities for some of this work could be provided at Harbor Bay Isle. There's nothing wrong with that. And he was not the only one who conceived of it. There was a research park developing in South San Francisco, and another one in Brisbane, south of San Francisco and in Mission Bay.

Lage: They're all hoping to become mini-Silicon Valleys?

Gardner: In biotech. So you had crossbay competition. In addition to that, UC San Francisco was out of space at its Parnassus location. They were desperately looking for research space. Their ability to get it in San Francisco was demonstrably constrained by unfriendly neighborhood activists, who were

adamant that UC San Francisco should not expand on the Parnassus site, and UC San Francisco couldn't work out acceptable arrangements at some other San Francisco locations, or weren't sure that they could. UC San Francisco had also expanded into Laurel Heights, and were so hassled by the neighbors there that they could never use it for the intended purposes. So UC San Francisco was not happy with what was happening in San Francisco, so they were looking to locate some of their major research labs outside of San Francisco, some of it bearing on biotech, genetic research and so forth. They were in touch with Ron Cowan as well as a number of other developers. Ron Cowan, of course, was trying to put together a deal, perfectly legitimate deal.

When interested parties in San Francisco believed that UC San Francisco might in fact be moving some of its major research facilities out of the city, we then had the attack from the *Examiner*.

Lage: Oh, interesting. That's the background to it.

Gardner: Of course. It was a crossbay rivalry, and they were determined to kill it.

Lage: I wondered why the *Examiner* was so interested.

Gardner: Well, if you read the *Examiner* article in its full--I mean, read it carefully--those articles are full of implied wrongdoing.

Lage: Yes, they are, very much so.

Gardner: They are full of innuendo. There are assertions that would not be made unless you thought that something was wrong, and so forth.

Lage: A lot of wining and dining--

Gardner: Yes. Allegedly. I was not so much attacked as Ron Brady was attacked, and Ron Cowan was attacked, grossly unfairly and inaccurately. But we don't publish the papers; they publish the papers. There was a series of *Examiner* articles that gave the reader the impression that there was some kind of sculduggery going on and so forth. If there was, I knew nothing about it, and I don't believe that there could possibly have been with the people involved here. And the fact is, once the decision was made not to go to Harbor Bay Isle, the articles stopped.

Lage: Did the articles affect the decision on going to Harbor Bay Isle?

- Gardner: No, of course not. I didn't make that decision; that was after I was gone. As far as I know, that's what happened.
- Lage: But it probably does point out some of the side effects of getting involved in these kind of initiatives.
- Gardner: Oh, yes, sure.
- Lage: The university getting too close with business.
- Gardner: Yes, it does. It's not a riskless initiative.
- Lage: The article implied that the university was putting money into businesses and would be helping start up companies with taxpayer money.
- Gardner: I don't know the answer to that, because I was gone by the time the final reports were submitted and President Peltason in effect signed off on them.
- Lage: He dropped the initiative, did he not?
- Gardner: He dropped it, but he also is the one who really mounted it. In other words, shortly after he came in, he made a major address about this and made a point of representing in Sacramento that this was going to be a major new initiative, UC was going to proceed with it, this is what it was going to look like. At that point, I wasn't paying much attention. The initiative was going forward, but he ran into so much internal resistance from the faculty that in the end, he dropped it.
- Lage: The faculty seemed to be fearful that it would direct research?
- Gardner: I don't know, I can only speculate about it. But I think I know what the issues were: the same issues that we had been contending with all along, as I've mentioned.
- Lage: Well, we'll save some of this for President Peltason's interview.
- Gardner: Yes. In any event, he got burned on it. But I would say that the *Examiner* articles were overwhelmingly crossbay rivalry, with assertions made that were never proved, with implied wrongdoing that was never credible, and it did considerable damage to the reputation of certain people, and unfairly, in my view. Not atypical for the *Examiner*. That's my view of it.
- Lage: Did you have much to do with Ron Cowan yourself?

Gardner: No. But I knew him. It is amazing. You know, the *Examiner* made a big issue of all these gifts that were sent to the president's office by Ron Cowan, and I thought, What gifts are they talking about? I asked my secretary, "Nancy, what gifts are they talking about?" And because this was about the time I was leaving--"What are they talking about?" Well, it was a poinsettia that was sent at Christmastime, not to me but to the president's office, which we put out in the general reception area. That's what's supposed to persuade us to go to Harbor Bay Isle. [laughter] Incredible. Made good reading, sold newspapers.

The California Public Interest Research Group

Lage: Should we wind up with a little more on that Cal-PIRG issue? I think that's fascinating.

Gardner: Okay.

Lage: Give a background about negative check-off, positive check-off, and all of this.

Gardner: The California Public Interest Research Group is a private--private, I emphasize--nonprofit corporation in California. It has its counterparts in many other states. It is an organization linked to Ralph Nader's network, and some of the money contributed to Cal-PIRG, I understand, goes to his network in Washington.

Lage: Is his network a formal group?

Gardner: More or less, so some of it, I understand, is shared with the Washington office, but most of it is spent in California. It's an organization that's given over to issues of importance to the public, such as the environment and so forth. A lot of young people are involved in it, including a lot of University of California students, but it is not a student organization. I mean, the fact that a University of California student may be involved in it--

Lage: They're volunteers.

Gardner: They're volunteers in that sense. It has nothing to do with the University of California. I want to make that crystal-clear.

The way the money is collected for Cal-PIRG and for its counterparts nationally is by seeking voluntary contributions

from interested parties and from obtaining voluntary contributions from students. How is that arranged? Well, in the University of California, at Berkeley, Santa Cruz, Santa Barbara, and UCLA--not at the other five campuses, but at those four--President Saxon had approved an arrangement whereby on the registration fee card--which is a card that must be filed with the payment of applicable fees by every student enrolling at UC as a condition of enrollment--he approved an arrangement whereby contributions to Cal-PIRG would be made possible in the form of a negative check-off on the fee card itself.

Thus, the name Cal-PIRG would appear on this fee card, and the two- or three-dollar-a-semester or quarter contribution that the student would be making appeared in the same fee column as the mandatory student fees, even though Cal-PIRG's contribution was not a mandatory fee but a voluntary gift by the student to Cal-PIRG. In other words, it was a voluntary gift but appeared to be a mandatory fee; thus, students filing the registration card and paying their mandatory student fees would also make a gift to Cal-PIRG unless they took steps to deduct the Cal-PIRG contribution from the total of mandatory fees they were otherwise paying.

There was also a footnote saying to the effect, "If you don't want to contribute to Cal-PIRG, deduct from the total the two or three dollars for Cal-PIRG. Or if you decide you don't want to do this, you can go to the cashier and get it back." In that sense, it was voluntary. But the way it was formatted gave the impression that it was mandatory. And you know how most people are: they look at the bottom line and they write a check. They don't say, "How much am I paying for registration fees, how much is the educational fee, what is the athletic fee, what is the fee to retire the debt on the student center?" They ask instead: "How much do I owe you?" and they write you a check. Well, when Cal-PIRG's gift is in the total of fees owed, most people pay it. In other words, it was a deceptive way to raise money for a private organization that had nothing to do with the University of California.

You weren't asked to check a box saying, "I wish to contribute to Cal-PIRG, and I'm going to add two dollars to the total I owe when I register for UC." If that's the way it had been set up, we would never have complained about it. But instead, the assumption is that you're going to pay it, unless you take affirmative action not to pay it, and that's called a negative check-off. A positive check-off is what you do when you get a request from the American Red Cross and they say, "Please send us some money." And you send them back a check, and you say, "I'm going to send you some money. Here it is."

Lage: In your property tax, you can add on for the arts.

Gardner: That's correct. But what if it appeared to be included in the property tax bill itself? And you pay it unless you do something to take it out of there. That's a negative check-off.

Well, the negative check-off had been approved, and, over the years, I had periodically received complaints from students--not a lot, but some--indicating their unhappiness with the way this was formatted on the registration fee card, because they said it's deliberately deceptive, and we ought not to allow it.

In contrast, the *Daily Cal* at Berkeley had a positive check-off on the registration fee card, so if you wanted to contribute to the *Daily Cal*, you had to check a box saying, "I want to contribute to the *Daily Cal*, here's two dollars," and add it to the total. Not good enough for Cal-PIRG; different. Okay.

These letters of complaint not only went to me, they went to certain regents. And the regents said, "What is this?" I first raised the issue in 1986 or '87 with the chancellors. They said, "Well, we really don't like it, but it's a big deal to do something about it, put off dealing with it." So, we did. Toward the latter part of the eighties, we were getting more and more letters, and more and more unhappy people. Certain regents were then less and less happy. A couple of them said to me, in effect, "Either you raise this issue, or we will raise this issue." I really didn't want them raising the issue, because the context within which they would raise it would make it even more volatile than it might otherwise have been.

I determined as best I could the history of the matter, so forth and so on, and sounded the chancellors out on it. None of them liked the negative check-off and reconciled themselves to corrective action. Remember only four of the nine campuses had approved it anyway.

Lage: I'm surprised it ever got put in place.

Gardner: Well, it was put in place. Let me say there was a lot of political pressure to put it in place. There was an effort made to put it in place when I was president of the University of Utah.

Lage: Oh, so it was not just a local issue.

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Gardner: This organization has a lot of political clout, not just locally but nationally, and they have friends, friends in the legislature, in the press and other places.

The chancellors then all agreed, and I agreed as well, that we ought to put this issue before the board, and we did. I put it before the board. I said, "I'm getting these complaints from students. We can either say, 'We understand your concern, but we think this is okay anyway,' or, 'We're not going to allow a negative check-off, but we'll allow a positive check-off,' or, 'We're not going to allow any of these kinds of contributions to be made on the registration fee card under any circumstances, negative or positive.'" So, we brought all of these options to the board for its consideration and action.

When the organization knew that we were going forward with this, we were under very intense political pressure not to submit it to the board, and I was under pressure to propose to the board that we not change it. The argument was that at Berkeley, Santa Cruz, Santa Barbara, and UCLA, it's on the registration fee card because the students had voted to put it on.

Lage: At some point.

Gardner: At some point. Not the students who were necessarily enrolled at the time, but at some point, they voted to put it on. I said, to the people from Cal-PIRG and their friends in the legislature, "Well, they may have voted to put it on at some time in the past. Whether they understood they were putting on a negative check-off as against a positive check-off is debatable. Moreover, the persons who voted to put it on aren't necessarily any longer our students, and those who are here didn't necessarily vote to put it on. Moreover, you can't collect this money without implicating the university's administrative processes, so we are implicated, regardless of whether the students ask for it or not. And if the students really want to give to the organization, why don't you persuade the associated students organizations to do so? They control their own money." Cal-PIRG, of course, didn't want to hear these arguments.

We went to the Regents. The Regents were astonished, really, to learn that we were using registration fee cards for this purpose and said, "No, we're not going to do it. We're not going to have a negative check-off. We will allow a positive check-off."

Well, that set it off. It set it off in part because there are students who were actively involved in Cal-PIRG on these campuses, who were committed to the purposes for which Cal-PIRG

existed, who had invested a lot of their time and effort in making it work, and they thought this was going to cut their revenue in half. A number of these people were also volunteers for various political figures running for election in the state.

Lage: As part of their Cal-PIRG duties or--

Gardner: I don't know the technical aspects of it.

Lage: So some of the same people involved in Cal-PIRG were also politically active.

Gardner: Yes, very much involved, yes. Politically active, and very helpful to some legislators. Those legislators were then very unhappy with me, and with the Regents, and I heard about it.

Lage: Any particular legislators you want to mention?

Gardner: There were a lot.

Lage: Did they tend to be Democrats?

Gardner: Mostly. Mostly Democrats.

So when this occurred--when did this occur, 1990?

Lage: The vote was September, 1990.

Gardner: Okay. In the following session, 1991, it was our first difficult budget year. We were struggling with the issue of student fees and tuitions, early retirements, and everything else; the state going into the tank financially, and at least a third to a half of the time for UC's budget hearing was given over to the Cal-PIRG fee. I thought it was scandalous.

Lage: The Committee on Education hearing?

Gardner: That is correct.

Lage: That's very interesting.

Gardner: "Why are you doing this? What's wrong with the former arrangement? Why are you hostile to Cal-PIRG? We want you to change it," et cetera, et cetera. Threats, direct, both private and public. And at the time the state is suffering with a major decline in its financial position and the university is struggling to cope with it on its own; instead of dealing with these issues we spend a third to half of our budget hearing on the Cal-PIRG issue. I was disgusted.

- Lage: Was that something you discussed with them privately before the hearing? Did it come up?
- Gardner: I didn't know it was going to come up. This is one area where they did not share with me.
- Lage: They made it a public--
- Gardner: They made it a public deal.
- Lage: I think it's rather hard to defend, once you lay out how the negative check-off works.
- Gardner: That's right. But they obscured it. They obscured it. "What's wrong with a voluntary contribution? All we're asking is to make a voluntary contribution. Look at all the good things we're doing. The university is hostile to Cal-PIRG, they're trying to cut our funding off," et cetera.
- Lage: Did you personally feel hostile to Cal-PIRG's views?
- Gardner: I didn't have any reason to feel at all hostile to Cal-PIRG. Why should I? Didn't mean anything to me.
- Lage: Did they do anything on education?
- Gardner: No.
- Lage: Environment is what I think of.
- Gardner: It's principally the environment, I believe. They may be in something else, but that's what I've heard about. In any event, I had no reason to be hostile to Cal-PIRG; I was hostile to an arrangement implicating the University of California's processes that I knew had been put in place because they were deceptive, not because they were forthright. That's what I didn't like. After all, why would Cal-PIRG believe that a positive check-off system would yield only one-half of what a negative check-off would yield? The answer is obvious: the former requires the student to decide to contribute or not, and the latter obscures the matter to the point that the contribution is made inadvertently.
- The result of the hearings in Sacramento in that year was budget language that instructed us to reverse this decision on pain of \$1 million being taken out of the president's office budget.
- Lage: That was what we discussed earlier.

Gardner: Yes. I wrote a letter to the conference committee where this matter was being considered--it's in the record, you can get it if you want--in which I pointed out my astonishment that the legislature, in taking account of the needs of a private organization, should so threaten a public one. They didn't like that, but it's in the record. No one ever responded.

Lage: And then you did not follow that.

Gardner: No, we did not follow the legislators instructions. They were unconstitutional in any event, and they knew why we opposed the budget language. Then we were harassed the entire year, harassed the entire year.

Lage: In committee hearings, and--

Gardner: Every time. When I would go to Sacramento, I would hear about it, and our representative in Sacramento would hear about it, the chancellors all heard about it. There were protests on the campuses, one thing after another.

Lage: What about Ralph Nader himself?

Gardner: Well, in October of 1991, just before I had decided to step down, when it became apparent that we were not going to change our minds, he asked to see me. I agreed to do so. I had met him before. He came to my office in Oakland. He asked why we were doing this, and I explained why we thought a negative check-off was unfair to the consumer. [laughter]

Lage: Good language!

Gardner: And that we would be agreeable to a positive check-off. He said, something to the effect that, "We can't have a positive check-off; it would be contagious throughout the country. We can't go along with it." I said, "Why can't you get as much money from a positive check-off as from a negative check-off?" "Well," he said, as I recall and without answering the question, "the students voted to put on a negative check-off, and we ought to honor their request."

I said, "I find it to be ironic that an organization presumably committed to openness and the rights of consumers should, when it comes time to collect money for itself, commit to a fundraising scheme that it knows to be deliberately deceptive. You're going to get more money from a negative check-off than from a positive check-off because people are giving to you inadvertently, not by intention. For a contribution to be voluntary it must be intentional, by definition."

Needless to say, Mr. Nader was not pleased with my response. He said, as I best remember it, "As far as I am concerned, you and the Regents have declared political war on Cal-PIRG, and we are declaring political war on you. It's too bad; I understand you might be leaving office soon," (although I hadn't announced, there had been some talk about it). "Too bad you'll be leaving office with your reputation and the Regents' in a shambles." And that's what happened.

Lage: So you think he had something to do with all this controversy over your retirement package?

Gardner: I don't have any question in my mind that the dispute over Cal-PIRG's negative check-off carried over into the controversy surrounding my retirement.

Lage: Will we get to that next time?

Gardner: We will when we talk about my last six months.

Lage: Right. That's really quite scary.

Gardner: Yes. And that's the history of the funding of Cal-PIRG by UC.

Lage: Okay.

Gardner: And then we got worked over again in '92, same thing in the '92 session, nothing but grief.

Lage: Now, I wrote a check for my daughter's tuition two days ago, and it was not a positive check-off.

Gardner: What is it?

Lage: It was listed as a charge, along with her university fees, and included in the total bill. When I didn't pay it, she was sent another bill for the six dollars.

Gardner: That's it. I think they ultimately worked out a deal, and Peltason worked out a deal--you may want to double-check this, I'm not confident in what I'm going to say--but I think what they said was, well, once a student comes to the University of California and says he or she wishes to contribute to Cal-PIRG, then that's a positive expression of intention to give, and then for that person on their registration fee card it comes up every time thereafter. They don't have to make that assertion every time. They just do it once; I think that's what they worked out.

Lage: That could well be.

Gardner: I think that's what's happened.

Lage: A compromise.

Gardner: I guess so.

Lage: Okay, well, let's wind up for the day.

XIV THE FINAL YEARS

[Interview 11: January 18, 1996] ##

Governors at the Regents' Meetings

Lage: Today we're on to the very last years of your presidency. Did you happen to see in the paper today that Pete Wilson was going to the Regents' meeting?

Gardner: No, I have not seen that.

Lage: In order to defend the anti-affirmative action resolution passed by the Regents.

Gardner: Oh, yes.

Lage: In your estimation, does that make a difference? Does the governor's presence affect the board and how it votes?

Gardner: Yes, but governors have rarely attended Regents' meetings. Governor Warren attended during the Loyalty Oath controversy in 1950, but only nine months after the controversy broke out, and attended mostly to assure that President Sproul's position was not compromised by those who were unfriendly to him on the board, and asserted his authority at that point as president of the Regents.

Lage: The governor is president of the Regents?

Gardner: President of the board of Regents. Ordinarily, governors defer to the elected chair.

Lage: At that time, does the governor take over the running of the meeting?

Gardner: Well, the governor has authority to take over but does not customarily do so.

Lage: Well, that's quite interesting.

Gardner: So Warren did.

Governor Reagan would attend occasionally, especially during the early years when the antiwar demonstrations remained a factor, and when the consequences of both the Free Speech Movement and the student unrest of the 1960s remained in the public memory, he would be present. And then he was present when Angela Davis's appointment was up for consideration, and on other occasions, took a very active part in it.

Lage: It sounds as if he attended more.

Gardner: He did. He attended more than most had historically, that is true. Jerry Brown, I was not here, so I don't know the frequency with which he attended.

Governor Deukmejian attended from time to time, and with the single exception of divestment, he attended just as a regular member of the board without anything special on the agenda. He just wanted to touch bases.

Lage: I see. So his presence didn't make a statement except that one time.

Gardner: That is correct, and the only time he really undertook to assert himself was on the divestment issue. Otherwise, he functioned as a regular member of the board, remained quiet most of the time, was not directive. If he had questions, he would ask them. About like a regular board member. His was a low-key presence.

Lage: And did Governor Wilson come during your time?

Gardner: He came two or three times, yes.

Lage: He came during one of the meetings we're going to discuss today.

Gardner: Yes, he did. But generally, he did not attend, as was customary. Most governors did not attend.

Lage: When the governor attends, does this tend to make the regents he appointed more cognizant of where their appointment came from?

Gardner: I would say generally yes, but it would depend on the issue and the context within which the meeting was occurring. For example,

when Governor Deukmejian attended meetings from time to time without any special issue on the board, his influence was not more consequential than any other regent, nor did he intend it to be, which I always respected. In other instances, it's clear the governor, as with Deukmejian on divestment, wanted to have an impact, and he did. [laughter]

Lage: Did you find that regents broke into defined factions related to who appointed them, or their politics, or anything like that?

Gardner: It depended how recently the appointment was made. For example, in the first term of Governor Reagan's, when he attended Regents' meetings on issues associated with student unrest and so forth, it was very clear that the regents he had appointed early on in his administration, were almost a team in that sense. But in his second term, this was less and less true, even of those he had appointed in his first term. I know Verne Stadtman did a history of the University of California, and his conclusion was that the longer a regent served, the less susceptible to influence they tended to be by those who made their appointments possible, and therefore, it was an argument in Verne Stadtman's mind for longer terms rather than shorter terms. I agree with him completely.

Lage: You could see that operating.

Gardner: Absolutely, absolutely. No question. The longer a regent served, the more independent the regent became, and the better informed, and the less susceptible to political influence. That has been the history of the university. I think one of the current problems is that many of the regents have been appointed rather recently.

Lage: Just by chance?

Gardner: Just by chance. There were some deaths, there were some resignations, there were quite a few turnovers, all within a relatively short period of time. Under such circumstances, it is more difficult to effectuate harmony within the board and to develop a core of centrist regents who can hold the center during times of stress and controversy. So I think that's what happened in part. Plus, the turnover of presidents. My departure; Jack's coming; his departure; and Dick's coming. That's three presidents in a little more than three years.

Lage: That's right, that's unusual.

Gardner: It's almost without precedent. And with a very significant turnover of regents during a fiscal crisis as well. All three of these things came together. The result is that the president now

is less able to persuade the board to work together, to offer his advice with confidence, and to imbue the entire regential culture with the need for them to remain free of political and sectarian influence, as the constitution requires.

Lage: Was this something you would talk to the Regents about directly?

Gardner: If I needed to, I surely would. Very directly.

Lage: It seems just from the meetings--I know you did a lot behind the scenes--that there was a process of educating the Regents.

Gardner: There was. I didn't need to do it in the meetings; I did it outside of the meetings, by and large. Except for my first meeting, which I described in an earlier interview, where I made it very clear that they had a new president, which I thought was important. I wanted to reduce the level of intraregential tension, indeed animosity, that I had observed, which I saw as an impediment to the effective work of the institution, and did it with a level of unexpected forthrightness that I think is also called for today. It's needed.

Lage: Maybe it will happen.

Gardner: We'll see. I hope so.

I wish also to mention that when I became president in 1983, I initiated an orientation program for newly appointed regents. It would last an entire day or more where each vice president and the officers of the Regents, i.e., the secretary, treasurer, and general counsel, would explain to the regent the nature of their work and how UC was managed. Of course, I met with them as well. It proved to be very effective. I don't know if it is still done.

Lage: Did the regents break down into defined factions? If they differed on issues, did they usually differ in the same way across the board?

Gardner: While I was president?

Lage: Yes.

Gardner: Well, on the issue of divestment, they did not break down by either party or ideology. It was very interesting. One could not fully anticipate beforehand how the individual regents would vote on the issue of divestment, although my count was usually pretty accurate.

Lage: It cut across the political parties?

Gardner: Yes, it cut across political parties, age groups, background, and everything else. That was quite an intriguing case study for anybody who wants to work on it.

Other than that, while there was always a tendency for the more conservative members to view a certain issue a certain way and the liberal members to view it another way, such as on affirmative action and so forth, they never broke out that way, because we didn't have divided votes, by and large. Rarely divided votes, at least while I was serving, because I did all the work ahead of time.

Lage: Right. But did some things break down as the budget got tighter and tighter?

Gardner: No.

Lage: Is the era of good feeling related in part to having a good budget?

Gardner: Well, there's no doubt an era of good feeling is not uncommonly accompanied and, in no small measure, by a sufficiency of resources.

Lage: Accompanied or caused? [laughter]

Gardner: Well, it's a mix. No, while I was there, the budget was not so bad that it drove differences among and between the individual members of the board on any issue. Actually, they pulled together quite well.

Libby's Illness and Death

Lage: Now, that's enough introduction. What we're going to start out with, which isn't a happy matter, is Libby's illness and death, and how that affected you as president and personally.

Gardner: Right. Well, you'll recall how busy she had been, and how busy I had been, and how closely we worked together, and how we worked together in the course of our association with both the University of Utah and the University of California. We covered that, I think, sufficiently in earlier interviews, so I don't have to repeat it, I'll just do it by reference.

She had had trouble with her back for some time, which the doctors attributed to a disc problem. Well, the disc problem was real enough, but it masked the real problem, which was multiple myeloma, which is in layman's terms, I guess, a cancer of blood plasma within the bone marrow. It's a disease that works from the inside out; you don't have any idea that anything is seriously wrong with you until it's almost too late.

Lage: So she probably had been ill longer than it appeared.

Gardner: Yes. She had apparently had this for some time. The doctors said she probably had. And then for reasons that are not clear to them, it all of a sudden exploded.

As we moved into the fall of 1990, her back was giving her more and more trouble, but she was a very stoic person, she had a high threshold for pain and an energy and zest for life, so she didn't allow it to interfere with her interests too much. We went to our place in Montana, we went here and we went there, and we were fully involved with the work of the university as we moved into the fall. We were planning a full social schedule; we went through that in the usual way in August or September with Nancy, had it all charted out, knew what we were going to do. And it was business as usual, in other words, as we began the fall of 1990.

We were planning a trip to Thailand in late October, early November.

Lage: Was this business related?

Gardner: Yes, it was. And we had other commitments that we had made, and visits to the campuses were scheduled. It was a regular year, in other words.

We were at the AAU, American Association of Universities, meetings, in Philadelphia, at the University of Pennsylvania, in late October. Libby had been complaining about her back, but she had for a long time, and didn't cause me to think that there was anything out of the ordinary--and I don't think there was, at least in her own mind. We were attending these meetings. I had a meeting during the day; I came back in the late afternoon, and we were going to dinner that night at the University of Pennsylvania. She had collapsed in the hotel room, not knowing why. I didn't either; I just thought something gave on her back, or a ligament--you know. I didn't know much about it. But it was very clear she was hurting.

So we arranged to leave and come back to California the next day, first thing. She was really hurting. Fortunately, they were able to upgrade us to first class, and not every seat was filled in first class, so she could stretch out. I might add that flying first class on that trip was later pointed to as an example of UC's president living high. This was during the controversy associated with my departure in 1992. If she couldn't have stretched out, I don't know how she would have gotten back, frankly, but it worked. So we got her back home.

The doctor said, "Well, you've got to get off your feet," and so forth.

Lage: Oh, he never suspected.

Gardner: No, because all of the scans, CAT scans or whatever it is that they did to her, showed she had a disc problem. They just assumed the disc was acting up again, and so did she. So she went to bed for the first part of November and felt a little better, not right up to speed. And then about mid-November, we began to worry about--. I was down giving a speech, I forget where it was, out of town, and she called and said she was kind of having trouble breathing and so forth.

So the next day when I got back, we got to work on it. First of all, they thought she had pneumonia and treated her for it. Well, it proved that she didn't have pneumonia. One kind of misdiagnosis after another. I'm not blaming anybody; that's the way this works; and this disease is not easy to diagnose.

Lage: It doesn't show up on CAT scans or anything like that?

Gardner: No, it doesn't show up at all. You have to get it with a bone biopsy, and you don't ordinarily do that, right?

To make a long story short, even with this, we had been entertaining at Blake House before the football games, and taking people, going to the games. I don't know how she did it. We had a group in, and this was on a Saturday, and she said, "Yóu know, I don't think I can make it to the game." We were entertaining at Blake House before the game. She said, "You go on to the game, and I'll go on home and rest." I said, "I'll drive home with you." "No, no, we have these guests, you go to the game." So I did, and she got home on her own.

At that point, the doctor began to wonder if there wasn't something in addition to what they had already assumed was the problem. She went in for a series of tests, and at the very last

of November, early December, they were able to diagnose this problem.

Lage: Was she being treated by a private doctor?

Gardner: Yes, Dr. Morton Meyer at Berkeley, and he had a number of specialists in. He had been her doctor for years. We had a number of people from UC San Francisco giving us a hand on it. They finally discovered the problem, and it was multiple myeloma. If you can discover it soon enough, you can check it and might even get a remission with chemotherapy and radiation. In this case, it was quite advanced, but not so advanced that they might not have put it into remission for a period of time or even have arranged for a bone marrow transplant.

But the problem was that this disease had then caused some secondary problems, some problems with her protein production, the protein amyloid. In the end, it was the protein problem, not the multiple myeloma, that caused her death. It was a problem that resulted in congestive heart failure, which was a relationship we did not fully comprehend at the time this was all going on.

Lage: Did she have the chemotherapy?

Gardner: She started with radiation. She was in the hospital, either having tests or in the hospital because of the illness, for the last several weeks of 1990, at Alta Bates Hospital in Berkeley, and undergoing further tests, some radiation to ease the pain, which was now beginning to be acutely manifest in her back, and it was very clear as we moved into December that this was a very serious problem.

We managed to get her home for Thanksgiving Day, and we got her home for Christmas Day. We took some pictures at the time. I saw them not long ago when I was moving out of our Orinda home, and I threw them out.

Lage: Just too sad?

Gardner: Too sad, because it was clear that she was going down. But when you live with it every day, it's not always as apparent as if you don't see someone for an interval.

We finally got her home the very last of December of 1990. She looked better, she had more energy. The radiation had relieved the pain in her back, and she was scheduled for chemotherapy. Then the problem was, the doctor told me and her that they could only give her a nominal amount of chemotherapy,

because her heart was not strong enough to take more, because the protein problem had dramatically weakened her heart. This combination of events was so rare, according to the doctor, that it was almost a medically reportable event.

Lage: Oh, really?

Gardner: Yes. None of the doctors in the East Bay had ever seen this combination of problems. They had never seen it. They didn't know much about it. We had some consultation with the Mayo Clinic. Howard [H.] Leach, who was later chairman of the Board of Regents and was then a regent at the University of California, had lost his first wife to cancer and was very supportive and understanding, offered to fly her back in his private plane to the Mayo Clinic. He had it all ready to go in January, but the doctor there said, "There's nothing I can do for her here you can't do for her there," so she stayed. She was home almost all of January.

They started the chemotherapy, but they couldn't give her the amount of chemotherapy they needed to stop the cancer, because of her weakened heart.

Lage: And the heart wasn't an ongoing problem that she had had before; it was caused by the multiple myeloma?

Gardner: Oh, no, it was caused by the amyloid protein. She was strong as could be before her illness.

So the dilemma was, if they gave her any more chemotherapy, it would cause her heart to stop; if they didn't give her enough chemotherapy, it wouldn't stop the cancer. If we couldn't stop the cancer, we couldn't stop the production of the aberrant protein, and if we couldn't stop that, then there was no hope. That was the dilemma. And they were trying to work it out.

As it went on, it was not working. Not working. And it was clear to me, barring a miracle, by mid-January where we were headed. Toward the end of January, she began to slip. The doctor said, "You really will be a lot more comfortable in the hospital than at home," so we took her in. Her heart had gotten a lot worse. So we had a pretty good idea where it was going at that point. I got all the girls in, and they at least had the opportunity to talk to their mother individually. She also talked to all of them collectively. She was unbelievably composed and courageous throughout all of this.

And she and I had some really wonderful conversations in the evening. I remember mentioning to her something about, well,

she's leaving twenty-five years too soon. She said, "Well, that's right, but I feel like we've led three lives in one," which made me feel really good. And she was unbelievably courageous. She's the one that kept our spirits up, not the other way around.

She passed away on the eighth of February 1991. Very peaceful death. But in a period of three months, essentially.

Words truly fail me here. Libby's death was the most profound and despairing event of my life. I was devastated beyond my capacity to express it. We were broadly and deeply in love and had been for over thirty-two years. I don't know how I appeared to others, but more than half of me seemed to have been torn away at her death. My life had gone from a happy and appreciative and optimistic one to one of infinite sadness and near despair in a three-month period. It changed me, and life has never been the same since. Our life had been wonderful together, and we deeply loved one another, which in no small measure helped to explain my despair.

Lage: How old were your daughters?

Gardner: Well, let's see. The youngest was twenty-one, and the oldest was thirty. So that was pretty tough on them as well.

Lage: Did having a strong religious faith help in this?

Gardner: It helped, it helped, but it does not overcome it. I guess for some people, it does. It did not for me. At one point, for example, she couldn't really eat any more and she couldn't respond very well. The doctor said, "Do you want to put a feeding tube in her?" I thought, Do I want to put a feeding tube in her? Well, if I put a feeding tube in her, then she'll maybe live a little longer, but at this point, the pain was beginning to be pretty pronounced, and there was nothing they could do for it.

If I didn't put a feeding tube in and she continued to live, then I would have starved her to death by not putting a feeding tube in. That's the way I looked at it. So religion doesn't help you a lot, under those circumstances. So we didn't put in a feeding tube because I knew she wouldn't want it; and she was ready.

I'll just give you one little incident, because I don't want to share too much here--it's too painful for me. But after we had had another--I don't know what they do, what are they called

--you look at the heart. What are they called? Like they look at a baby.

Lage: Oh, a sonogram.

Gardner: Yes, a sonogram of her heart. The doctor said, "It's going to be just a matter of days. She could go any time." I said, "Does she know that?" "No." Because she was still holding out hope, which is what you do, of course. I said, "I cannot bring myself to tell her. First of all, I can't describe it medically, and secondly, I wouldn't get through it."

So a very dear friend of ours by the name of Bill Parmley, who was head of the cardiology division at UC San Francisco and whom we had known for many years, and whose father was a professor at University of Utah, had been a consultant in the case. He had been called in, so he knew exactly what was going on. I called Bill. He was at a meeting in Washington, D.C., and I explained the situation. He said, "I'm on the next plane back."

He came back, he got in about ten o'clock at night, and he went up to the room with Dr. Meyer and me, and he told her.

Lage: With you there.

Gardner: With me there. She was alert, fortunately. She knew what was going on. She listened very carefully. At the end of it, she said, "I want to make sure I understand this. I am not going to die of cancer, is that correct?" He said, "That's correct." "I am going to die of heart failure. Is that correct?" He said, "That is correct." "Well, that's a great relief," she said. "I wouldn't want to linger on with cancer."

Lage: Oh, my goodness. She was ready, it sounds like.

Gardner: She was ready, yes. Then she clicked off her medical problem just as though it never existed, and it never came up again. She got the message and clicked it off. She didn't need to know anything else.

Then she turned to Dr. Meyer and said, "Dr. Meyer, I really appreciate your having come out to the house every day," which is what he did, "and for the care you've given me and so forth, getting to know you a little better." He's a tough old guy, he had been around. There were a few tears in his eyes. And the men there barely managed. She was the strong one. She told Bill, she said she understood that he had come all the way from Washington, and how much she appreciated that. That's the way

she was. It was amazing, and a wonderful example not only to me but our daughters as well. She was unbelievably courageous.

We had a lot of really wonderful conversations the next three or four days, but after that, maybe for the last seven to nine days, it was pretty tough.

Lage: But I bet the chance for that kind of conversation makes all the difference, and for your daughters too.

Gardner: Oh, that's all the difference. Yes, that's right. So it was as good as it could have been under the circumstances.

The funeral was three or four days later. We held it near the Mormon temple in Oakland, near Lincoln Boulevard off of the Warren Freeway. There were, I think, 1,400 people there. We had to hold it there because of the numbers. It was a wonderful service, and friends around, and all of that. People were wonderful to us. Libby was fifty-five years old.

Personal Impact of the Loss of Libby

Gardner: Then everybody goes home, and there you are. I thought, Well, what am I going to do? The service was on a Wednesday, and I decided--a friend of mine had lost his wife about a year before, and he had simply taken off for the southern Utah parks and spent three months hiking in the southern Utah parks, alone.

Lage: My goodness.

Gardner: And I thought if I did that, I would kill myself, so I'm not going to do that. I said, "I'm going to go to work next Monday," which is what I did.

Lage: Get back in your routine--

Gardner: Get back in our routine, because all the girls were living some other place. Marci and Karen were with me for a few days, but then they had to go on to their work. I was alone in the house and I thought, I don't want to sit around here. I don't want to go anywhere; there's no place I want to go. I think I would be better off if I went to work and did the best I could. So I did.

Now, as you look back on that fall and that period of time I've just discussed, at the university, we were entering into a major budget crisis.

Lage: Yes. Fall of '90, and '91.

Gardner: The fall of '90, and '91. We were heading into a budget crisis. Most people didn't know it. I knew it. I knew what was coming. And it was distinctly unpleasant. I was obliged to contend with that at the same time I was contending with Libby's illness.

Lage: Just too much.

Gardner: It was a nightmare. I would spend most of the day at the hospital, and Nancy would arrange for my work to be couriered back and forth. I didn't come to the office unless I absolutely had to, but I kept up on it with that courier service that she arranged, and also by telephone, as best I could. As best I could. Which meant it was not 100 percent, but I did all I could do.

Then I had to contend with the girls' feelings, and our friends' feelings, and my own feelings, and with the feelings of Libby's family as well. It was a nightmare. When she was home, I would get to bed at midnight and get up at three and do some things for her, make sure she was okay, and give her her medicine. I wouldn't get to bed until midnight or one, and then I would get up at three, and then I would get up at five or six. And then I would have to go to work and deal with UC's problems. Because when she was home in January, Marci and Karen were both there, and Shari was in and out, and Lisa would come as she could from Seattle. She was at the University of Washington at that point. So I did have help at home, we had a nurse come in for part of the day, and that helped a lot.

I was not as tied down at home in January when there were others to help as I was in late November and December when she was in the hospital, where I felt I needed to be every day. And I found in hospitals, you do need to have an advocate. I never fully understood it until then. I didn't dare leave her, so I didn't. But at home, she had one or two daughters and we had a nurse, so I was able to go into the office and get caught up as best I could.

But it was a nightmare.

Lage: The need to kind of shut off one part of yourself and attend to something else, that's--

Gardner: I am pretty good at it, but this tested me to the limit. People were very understanding, however. I would be in a meeting--for example, I had to go down for a Regents' meeting in Riverside in January--

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Lage: You were telling about the Regents' meeting.

Gardner: Yes, I was at the Regents' meeting in Riverside in late January, while Libby, of course, was still home. As soon as the meeting was over, Howard Leach put me on his plane and flew me back. So people were very supportive. I found that unless there was a very complex issue with which I had to deal, I would drift off, distracted. People would then pick it up. Then I would come back in, not even realizing that I had drifted off. It's really an interesting phenomenon.

Lage: Did your staff fill in? You mentioned Nancy.

Gardner: Everybody really rallied around and were terrific. But there are certain things that only the president can do, especially on the budget. I had to decide what to do, what we were going to do. Everybody can advise you, but in the end, that's your job, so I had to do that. So I did it.

Then when I went back to work after her passing, I went back the following Monday, after the funeral. I couldn't have been functioning at more than about a 25 percent level.

Lage: Were you aware of that?

Gardner: Not fully, but my staff later told me the reality of it. I would be in a meeting with them, and all of a sudden I was somewhere else mentally. Then they would kind of wait, and then the silence would bring me back.

Lage: Oh, dear.

Gardner: Just an amazing thing, an amazing thing. Or I would be in a meeting of vice presidents or chancellors or whatever it was, and I would just drift off on an issue that either didn't interest me, where I would at least have feigned interest previously, [laughter] or one that was not particularly challenging but controversial nevertheless, but intellectually not challenging, I would drift off. And they would tell me this later. They didn't tell me at the time.

So I was not fully functioning, but I think on the main issues, I was able to cope pretty well.

The previous fall, I had been invited by Professor [Robert] Bob Scalapino at Berkeley to join a group of private persons on a special assignment to North Korea under auspices of the Asia

Society of New York, the purpose being to try and tease North Korea out of its corner and to encourage it to be more open in its relations with other countries, and to mitigate their apparent drive to obtain a nuclear capability. Twelve of us were asked to go over. I had declined in the fall, because I didn't want to be gone that long, and especially with Libby's situation I said, "No, count me out."

He renewed the invitation in late February, and I thought, You know, that's what I really should do, because I won't be by myself, but I'll be away, and it will be interesting, new places, new people, and I think that would be a good thing for me. So I went for three weeks in May, '91. We went to Beijing first, and then to Pyongyang, North Korea, back to Beijing, and then to Tokyo, then to Seoul, and then to Moscow.

Lage: Sounds like a good trip.

Gardner: And we had a wonderful group of people on this trip. There were twelve of us.

Lage: From different walks of life, or mainly the academy?

Gardner: Different walks of life. Two or three academicians, a businessman, a journalist, a foreign affairs specialist, and so forth. They were a compatible group, and it was fascinating. And it did get me away from my travails.

Then halfway through that trip--and I mention this because people who will have experienced the death of a spouse will identify with it--halfway through that trip, I woke up one morning and realized I had been absolutely numb since Libby's death, and I hadn't fully realized it. Numb. I just felt like somebody had put me into neutral.

Lage: Emotionally numb?

Gardner: Yes, emotionally numb. And I concluded that that's the body's way of making sure you don't do something stupid during the period of that trauma. And I wasn't numb any more. I don't know why; I have no idea why. Just the body says, "You're not numb any more. Now you're ready to face reality." That's what it was telling me.

Lage: And you had become aware of how you had been--

Gardner: Yes. All of a sudden.

So I finished the trip, and because I finished the trip, the lack of the numbness, which was a protective measure, being gone, the full impact of it of it being gone didn't hit me, because we were busy morning, noon, night, traveling, and so forth and so on. But when I came home, left the San Francisco Airport, drove home and walked into a dark, empty house at midnight, it hit me like a ton of bricks. Whereas before, you see, it hadn't.

Lage: So the protective measure was gone.

Gardner: Before it hadn't hit me like that. I was able to go home and function. This time, I went home without the protection of the trauma, and I just fell into a pit, emotionally. Then it took me a couple of years to dig my way out of it.

Lage: Oh, my goodness.

Gardner: Yes, that's true.

Lage: Was this kind of a depression, would you say?

Gardner: I suppose. The reality that she was gone and I was alone.

Lage: Did you talk to anyone professionally about it?

Gardner: No.

Lage: You seem to be aware that it's a pattern, though.

Gardner: Yes, I had read a lot about it. Maybe I should have, but I didn't. I didn't even share it with our daughters because they would have worried even more about me than they were already worrying. I didn't want to aggravate their concerns. And I didn't say anything to anybody, I don't think. I may have to Nancy or something, but in any event, that's how I felt.

So as I went into the summer of '91, it was a pretty depressing time. In fact, it was the first summer that we decided not to go to Flathead Lake in Montana in nearly 20 years. I couldn't bear the thought of going up and going in that bedroom by myself. And that summer, when we had such terrible budget problems, horrible budget problems--

Lage: With the legislature, or with the next year's--

Gardner: No, with the legislature, for the '91-'92 budget, a nightmare. I don't remember any of it today.

Lage: Isn't that interesting?

Gardner: Almost the last thing I remember was going in that house.

Lage: Oh, my goodness!

Gardner: Yes. I blanked it out.

Lage: But how did you function there?

Gardner: Oh, I functioned. I don't think anybody could tell the difference. You function at one level, and you do not function at another level.

Lage: So your depression wasn't necessarily obvious on the surface?

Gardner: No. It would not have been. It was to me.

The Decision to Resign

Gardner: Then as I went into the fall, Nancy one day said--late August or early September--she said, "Well, it's time to go over your social calendar." I said, "My what? My social calendar?" "Yes," she said, "this is the time of year we go over your social calendar." I said, "I don't want to have a social calendar. I am not up for a social calendar." And she was very sympathetic. She said, "But there are these things occurring, as it were."

Lage: Is this Nancy--

Gardner: Nakayama.

Lage: Not the person who helped you at Blake House?

Gardner: No, Nancy Nakayama. She said, "Well, I assume you won't have a normal social calendar, but there are certain obligations that--" I said, "I don't want to hear about it." And I thought to myself, This is not good. What I am saying is I'm not in the mood to do this job.

Lage: Right. A good part of the job, as you've described, is that social calendar.

Gardner: That's right. And the thought of going out, have to--it just--. And that's when I first thought to myself, I really don't want to do this job.

Now, I had been visited earlier by--I forget when it was, it was either just before I went on my trip to Asia or just after, I don't recall which--but I had been visited by Chancellors Krevans from San Francisco, Young from UCLA, and Peltason from Irvine. They asked to see me, and they came up and they said, "We're sensing your pain and suffering and grieving, and everybody is willing to bear with you on this. Don't worry about it, we'll all cover for you. But we also sense you may be thinking about leaving this position, and we do not want you to leave this position. And if you feel you have to leave because you don't think you can function properly, put that out of your mind, we'll all cover for you."

Lage: And you really hadn't thought about it at that point.

Gardner: I hadn't thought. Not consciously. So they must have picked up something I myself was not willing to acknowledge, to myself even.

Lage: That was a nice support.

Gardner: It was very, very supportive, and I really appreciated it and still do appreciate it. They were terrific. They said, "So don't make any decisions. Wait a year." Of course, Libby had advised me to do the same thing. She said, "Wait a year before you do anything."

Lage: And she was always your practical advisor.

Gardner: She was. "Don't do anything for a year. Don't sell the house, wait. Don't do anything for a year." This is her telling. She's always--. She was usually right.

In any event, as Nancy came to me in the fall of '91 to review my social calendar, I knew right then it wasn't going to work, in spite of this encouragement, in spite of Libby's advice.

Lage: Did you think of ways that someone else could have filled in that role for a year?

Gardner: You mean just take a leave?

Lage: No, fill in on the social function. Draw on the chancellors more--

Gardner: Oh. People could have filled in, but any time I did anything, I would feel like there was half a person there. And nobody can wish that away. It's the way I felt. That was just the first indication that something had gone on in my mind that caused me

to be less enthusiastic about this job than I had been. You can't approach this job without enthusiasm and expect to get it done. You have to be committed to it, wanting to do it, in terms of the hours and the pressure and the stress, it's something you've got to want to do, or forget it. Well, I didn't want to do the social life.

Then as the fall went on, it was again clear to me that the state's fiscal situation was deteriorating. In fact, I predicted it in '89 in my presentations to the Regents about what was going on. This was now beginning to be fulfilled, and I thought, Am I up to dealing with this? Not only with the legislature and the governor and so forth, but internally, in my own mind, do I have the energy to deal with this? Do I have the commitment to deal with this? Do I have the psychic will to deal with this? I began to think about it.

I should also mention that I wasn't getting more than about three hours of sleep at night, and I hadn't since her illness. I thought maybe over a period of time that would improve. It was not improving. So I was doing this job alone at home, when I used to be having her there as a full partner, and was exhausted. It's a bad combination.

As I went into the fall, things got worse and worse in terms of my attitude.

Lage: Did others pick up on this, do you think?

Gardner: I don't know. No one said anything.

Lage: How about your daughters?

Gardner: I don't think they picked it up. But that's how I was feeling.

Then the Keck telescope was going to be dedicated in Hawaii, and I of course had to be there. This was in early November. I went over, and Libby and I had been to the islands many times ourselves, and we loved it there. We had both been involved in looking at this telescope and watching it go up, and that was fun. I went over, and I was there alone, in very familiar territory.

To go back: in April of '91, I had meetings in Hong Kong for the Hong Kong University of Science and Technology, on whose governing board I served. She and I had gone every time, we had gone together. I went over on the plane alone, I got there alone. After two nights, I said, "I can't stand this any more.

I'm going to get up in the morning, and I'm going to rearrange my flight, and I'm going back tomorrow at noon. I can't stand it."

I woke up the next morning, I was a little better, so I stayed. But it's that attitude, it's that feeling.

In early November in Hawaii I had the same feeling, but it was much more pronounced.

Lage: Like you just couldn't go through it.

Gardner: Yes, just horrible. And besides, I got food poisoning.

Lage: Oh, dear!

Gardner: I thought to myself, It's not going to work. This is not going to work. This job is too demanding. Whoever has it ought to be healthy and capable of performing it, and I don't think I can.

Lage: In part, you were thinking of what you could give to the institution.

Gardner: That's right, absolutely. It was also a function of having done this work for so many years a certain way with Libby, to try and adjust it was not a welcoming prospect. Those two things.

I sat down on the balcony of my hotel room and wrote my letter of resignation.

Lage: In Hawaii?

Gardner: Yes, right there.

Lage: Now, you're a very rational person. Was this rational--

Gardner: Yes. I knew exactly what I was doing.

Lage: You were doing this in a rational way.

Gardner: Yes, I was. I was tired, I was depressed, and everything else, but I knew what I was doing.

When I returned, I had Nancy type it up, and before the next meeting of the Board of Regents, I met with Regent Khachigian and gave it to her.

Lage: She was the chair at that time?

Gardner: She was chairing the Regents at that time. I gave it to her.

Lage: Without advance warning?

Gardner: Yes.

Lage: Did you talk to your chancellors or anyone else?

Gardner: No.

Lage: Just Nancy.

Gardner: Just Nancy. And I gave it to Regent Khachigian. She was pretty shocked, but I explained where I was coming from, and she, of course, would do everything she could to prevent me from doing it but would respect my wishes if that's what I wanted to do. I said, "That's exactly what I want to do, that's what I need to do, both for the university's sake and my own."

Now, there were three things of major import coming up in '92. One was to find my successor, which would ordinarily take six to nine months. This was late November, remember, of '91, so they couldn't really get started until January. I figured they would take at least until July, and the person probably couldn't come aboard until the fall of '92. So that was one factor.

The second factor was going to be this horrible budget that I knew was coming, and I thought I ought to stay there and see it through, because a person coming in new would be at a terrible disadvantage, or if I had left, then Bill Frazer or Ron Brady would have had to handle it, and it's not quite the same. I thought, I'm kind of stuck with seeing through the legislature's consideration of our '92-'93 budget.

And the third big factor was the renewal of the management contract with the U.S. Department of Energy for the national labs that the University of California managed, in Berkeley, Los Alamos, and Livermore. That was coming up in September of '92.

Lage: The actual contract with the government, and working it out?

Gardner: Yes, and the approval by the Regents. And all the work on that had to be done between November, '91, and September, '92. I thought for those three reasons, September of '92 was a critical month, and that even though I would have preferred to leave no later than July 1 of '92, and sooner if they could get a replacement in, I didn't feel as though I could really leave until October 1, 1992, after the September Regents' meeting. So that's what I said in my letter, that I would stay until October 1. In retrospect, if I had known they were going to appoint Jack in March, I would have left sooner.

Lage: Did this give you any relief, just submitting your resignation?

Gardner: Yes, it did. It helped.

I then got a call from Chancellor Young not too long after I announced this. I announced it at the November Regents' meeting in 1991. I guess people were pretty surprised. That's my impression. I got a call from Chancellor Young. He said, "You know, I've been visited by the head of the Psychiatry Department here, they're really worried about you." I said, "What are they worried about?" "Well, you know, you're stepping down from the most important position in American higher education. We already told you you shouldn't make a decision for a year." [laughter]

Lage: "And you didn't listen to us!"

Gardner: Kind of chewed me out. I said, "Hey, I'm fine. I am suffering, but I'm okay, and this is a rational decision on my part. It's not just a shoot-from-the-hip decision. Tell him not to worry about it."

Three or four days later I got a call from Chancellor [Julius] Krevans. He said, "You know, the head of the Psychiatry Department came in here, they're really worried about you." I said, "What are they worried about?" I went through the same conversation. And Julie said, "You know, you really need to come over and talk with him." I said, "I don't need to." "No, you need to." So I agreed to go over.

I did, and talked to a very fine professor at UC San Francisco. We visited for about an hour, and he said, "Nothing wrong with you. You're no more or less depressed than anybody else at this stage of your situation, it's about right. It's okay, you're all right."

Lage: Did he give you any timetable for the future in terms of your feelings?

Gardner: No. He said it's very individual. He said, "Some people never get over it, especially those who feel guilty about something," which I thought was quite interesting. But he said, "You'll manage, and you're about on the right track, so you're okay."

Lage: Well, then maybe that was a good visit.

Gardner: Oh, I think it was a good visit, actually. I'm glad I did it.

In any event, that was in November. What I then discovered was that once people know you're leaving, the whole dynamic of

people's relationships with you changes. Issues that had been kind of bubbling around come to the fore, some people's loyalties, which were never loyal anyway but appeared to be, fade away, aspirations that people have are enhanced or diminished at the prospect of change. I ought to write a little essay on it sometime.

Lage: You should, or right here you could give us more details.

Gardner: It's very interesting.

Lage: This is the lame-duck aspect of being the president.

Gardner: Yes. I had been a lame duck before. It had never been a problem. But this was a much more complicated arena, so there began to be a few problems. I would not say consequential early on, but I could sniff them out.

Lage: Is this with your own staff, or your chancellors, or your Regents?

Gardner: Yes, all. Everybody. I don't mean every person, but I mean within all those arenas.

Lage: Was the succession issue complicating things?

Gardner: Yes. That didn't involve me really, but it was a complication.

Lage: Did they determine early on to go within the university?

Gardner: No, there was a big discussion about whether to go outside or remain inside. It was an object of considerable discussion. I was never involved in those meetings except twice, on invitation of the search committee.

Lage: Is that standard?

Gardner: Yes. I absented myself from those meetings. I was invited by the search committee to meet with them I think twice, which I did. I gave them a rundown on the job, and then they asked me about specific names, and I knew all of the candidates anyway, both inside and outside the institution, and I gave them my views of them, and that was it. No lobbying, nothing. I stayed out of it.

Now, I'll deal with each of these issues, and there will be some going back over the same time period, but with different issues.

Lage: That's good.

Appointing a Successor

Gardner: In terms of the search for my successor, this proceeded apace. I knew they were considering candidates both inside and outside. The internal candidates, which I think is generally known, were Chancellor Peltason, Chancellor Young, and Chancellor Atkinson. Others had been considered as well--Julie Krevans, others--but I think toward the end, those three were the key ones under active consideration. Chang-lin [Tien] had just come to Berkeley; they didn't want to disturb him there. So there we were.

After the March [1992] Regents' meeting, I was scheduled to go to Hong Kong for meetings there, and then to Seoul, Korea, where I was chairing a meeting of university presidents from the western United States, Canada, and Mexico, and from throughout Asia. I was going to be gone for about ten days. I was leaving Monday morning.

Lage: After this March Regents' meeting.

Gardner: Yes. The previous Sunday night, that is, the night before I was leaving, I called Regent [Jacques S.] Yeager, who chaired the search committee, and Regent Khachigian, who chaired the board, and I said, "As you know, I'm leaving tomorrow for ten days. I know the search committee meeting is tomorrow morning in San Francisco. Is there anything I need to know about the meeting of the search committee tomorrow that would impact my travel plans? If so, I will cancel them. If not, I will proceed."

"No, no problem, but we're glad we're talking with you, because there are some outside candidates that we have not talked with you about that we would like to talk with you about." I spent an hour and forty-five minutes on the telephone reviewing outside candidates with them.

Lage: With both of them?

Gardner: With both of them. They said, "Thank you very much, this will be a big help as we consider this tomorrow. Our expectation is that some of these outside candidates will be invited for interview." I thought, Well, this process is going to take another month to two months, so it's fine, I'll leave. So I did.

When I arrived in Hong Kong, which is about a fourteen-hour trip, there was a message for me: "Please call--" I think it was Ron Brady. I called Ron and learned that Jack Peltason had been appointed. [laughter] That's what happened.

Lage: Was that something you should have been there for?

Gardner: No, but there were consequences to that that I could have helped deal with, had I been there. Not at the meeting, but as a result of the meeting.

Lage: Following.

Gardner: Following, because there was a lot of disappointment on the part of some people, some irritation on the part of others--not that people were unfriendly to Jack, but Chuck had his champions, Dick had his champions, and others. There's a lot of dynamic associated with this.

Lage: So one of your roles would have been to help--

Gardner: I could have helped if I had been there. Well, I wasn't there, for reasons that I've just described to you.

Lage: I wonder why they didn't alert you.

Gardner: The conversation with Regents Khachigian and Yeager was in good faith. They had fully expected, both of them, that outside candidates would be further considered and invited for interview, so they were as surprised as anyone else. It's not as though I was being misled, not at all. They didn't know any more than I did in that sense. Here's the chairman of the board and the chairman of the search committee.

In any event, the committee took action, and there were those unfriendly to Chuck Young's appointment, and those unfriendly to Dick Atkinson's appointment, and no one unfriendly to Jack's appointment, so Jack was appointed.

Lage: And the outside candidates were overlooked.

Gardner: They decided to stay inside, and that's what happened. Once they decided to stay inside, then they voted and that was it.

Lage: Did you think it was a good choice?

Gardner: Well, I thought Jack was a good choice. His age was not favorable to the appointment; he was sixty-eight. But knowing

the kind of problems the university was going to confront, he could deal with them without worrying about a career.

Lage: That's a good point.

Gardner: Right. So that's one factor. Secondly, he knew the institution intimately, and he had been a very successful chancellor at Irvine and a very successful president at the University of Illinois years ago, and very well connected around the country. He was not an illogical person to appoint at all. The other two, of course, would have been excellent in their own ways. Those are three very fine candidates.

Lage: How old is Chancellor Young now?

Gardner: He's sixty-three.

Lage: So he is younger. He's been around so long, I think of him as being older.

Gardner: I know. [laughs] I think he's sixty-three now, so he would have been maybe sixty at the time. I think that's right. And Dick would have been maybe sixty-two or sixty-three or something like that. So these were not spring chickens, but they were all energetic, experienced, sophisticated, savvy people, and all good candidates.

So Jack was appointed. Then I was on the phone most of the night, after having arrived in Hong Kong, calling people, trying to get things back into some kind of shape. That's what I did the whole night after I arrived at Hong Kong.

Lage: Oh, my goodness. That's a good story.

Gardner: [laughs] That's what happened. In terms of the succession, that's what happened.

Lage: Is this the time to talk about whether there was a formal transition, or anything different from your own coming to the office?

Gardner: Well, what happened then was that at the Regents' meeting, of course, following all of that, the Regents met and acted. That was that. I regret I wasn't there. Jack was appointed, and he had his press conference, and I was nowhere around. I mean, it was his press conference, but I think I could have been helpful in terms of laying the groundwork and so forth. In any event, it was fine.

I then said, "Jack, you know this institution. You're coming aboard in September. There's no reason you couldn't come July 1. You know everything that I'm having to deal with except the labs. You have a lot of contacts in Sacramento, you've now been appointed. So two of the things are taken care of, and it's just the labs, and Brady can handle that for you. Why don't you come July 1?" There were a lot of reasons he didn't want to come July 1; he preferred to stay with the original date, although my preference would have been to have moved it up.

The Transition to Jack Peltason

Gardner: Then the transition.

Bill Frazer had stepped down the previous year, and we had had an acting academic vice president, Professor Murray Schwartz of UCLA, a former chairman of the Academic Council, so the experienced vice president there was Ron Brady. We talked at length about this issue of transition. I took it up with all the vice presidents and discussed it at length. Ron and I had some ideas that, in our opinion, would have made for a more effective and orderly transition than if we just let things drift.

We flew down to see Jack and laid it out. The result was the appointment of a transition team--

Lage: Was this the idea you put forth?

Gardner: Yes. Chuck Young chaired it, and the purpose was to take a hard look at the office of the president and some larger issues within the university related to management so that when Jack came aboard, they would have a fresh look at some ideas for him to deal with so he didn't have to do it all himself after he came aboard.

Lage: It seems like Chuck Young was an interesting choice.

Gardner: Well, that was Jack's choice. Jack wanted Chuck Young to do it. We called Chuck over, and he came from UCLA and we all met and discussed this.

Lage: And is that in fact what happened?

Gardner: That's what happened. All those reports were submitted after I left, so I don't have any knowledge of the particulars. But the purpose of it was to make sure that Jack was as fully informed

about what worked and what didn't work as one could possibly inform him, and so forth.

I met with Jack personally on several occasions, told him where all the skeletons were, where the minefields were, as it were.

Lage: Was his management style similar to yours, were you aware?

Gardner: He's a little more of a consensus-builder than I. What I tended to do was decide where I wanted to go, and then I got a consensus to get me there.

Lage: [laughs] I see. That's a good description.

Gardner: Jack by and large tended to get a consensus, then he would go that way. I don't mean that purely in either sense of the term, but that's the general tendency. We're a little different in style. He's a little more laid-back than I, probably a little more accessible than I. That's just personality. But basically not, in many ways. There were some differences, but you would expect that. And it was a different time in the university than when I came, so there it is.

In any event, I met with Jack several times, and I ran down all the personalities in the legislature, all the key people in the Department of Finance, my relations with the governor, other key people in the state who could help us, key alumni who could be useful, key business leaders, other former politicians, the donor community. I went through all of that. I went through each of the chancellors, each of the vice presidents, the principal officers of the Regents, things that nobody else would really know. I shared that with him.

Lage: All of that should have been recorded for this oral history, it sounds like!

Gardner: [laughs] Well, some things one can record, and other things one can't. I gave him a real rundown. And then the formal structure and the formal processes and so forth were handled by Chuck with his transition team. That's how that worked.

Lage: Very interesting. Now, that was a lot more transition than you had coming in.

Gardner: I had thirty minutes.

Lage: There are differences in style also.

Gardner: Yes, and I didn't think that my transition was as effective as it might have been, and I was trying to compensate for it by the steps that I just described.

Lage: You had also mentioned that coming in, you had little social introduction.

Gardner: Very little social introduction. I talked with some regents about that, told them that they needed to do something for Jack, although Jack had been in the state for seven years as chancellor at Irvine. I had been away for ten years, so not quite the same. He had very good contacts already and knew the Regents and so forth, whereas I didn't. So it didn't require quite as much, but I did call out the need for them to take more care in that than they had with me.

Lage: Very good. Anything else along those lines?

Gardner: That was on the transition; I think that was about it.

The 1992-1993 Budget

Gardner: Then in terms of the budget: well, we put a budget together, which was very unpopular, because it required dramatic increases in fees, it held the line on salary adjustments, it reduced our supplies and expense budget--I mean, it was an unhappy budget, and I was still short millions of dollars. We submitted a budget that was unhappy, an unhappy document as it was going in, and then it just got worse as the year went on. I was coping about every month with some new estimate of the deficiency we would confront in '92-'93. It just got worse every month.

Lage: The state kept cutting back what they thought they would give?

Gardner: The state kept alerting us--the governor, of course, submitted the budget in January, which was even less than we had submitted, and then as the revenue figures came in, in February, March, and April, it looked worse and worse and worse. So I knew what we were in for. That knowing was backdropping all of the discussions I had with Jack, Chuck Young's work with the transition team, it was backdropping conversations I was having with the board about these matters, and it was backdropping conversations I would be having with the Academic Council, and with the Student Body President's Council, with the Staff Assembly, and other key elements, both within the university and

outside of it. This darkening fiscal picture was paralleling my departure.

Secondly, it was an election year.

Lage: We don't want to forget that.

Gardner: National election year, and all of the rhetoric that went with that, and the polarization within the society that resulted from the rhetoric of that election, which was severe. It was a lot of attacks on the wealthy--we should have another big tax increase on the wealthy--and there was a lot of populism out and around that was being played hard in the national election. The mood of the country was sour, people were afraid with respect to their jobs, their employment, and their compensation. It was not a good time, so there was a sour attitude abroad in the land. This was catered to, fanned by the politicians of both parties, thus further aggravating it. And the state's fiscal condition was going in the tank; people began losing their jobs in the defense industry, and so forth.

Lage: This is background also to the controversy over the retirement.

Gardner: Exactly, and that's the reason I wanted to raise it. That's what was going on. I wanted to make sure that was clear.

Eventually, we got the budget, I think it was in September. I don't think we got it until September. I was right in the fall of '91 in predicting a September budget approval; we didn't get this budget until very late in the year.

Lage: Was that because the legislature--was this the year they couldn't agree on the state of California budget?

Gardner: Yes. They couldn't agree. Well, I don't remember for sure; there were two or three years they couldn't agree. And maybe it was late August; in any event, it was late in the summer, and it was bad.

Lage: So more adjustments had to be made.

Gardner: More adjustments, and I had to make those decisions, because I had to allocate it for '92-'93.

Lage: Would you bring Jack Peltason in on that?

Gardner: Yes, sure. Oh, yes. He knew exactly what we were doing. All the chancellors knew what we were doing, including Jack. But I had to allocate our '92-'93 budget. I did not have to submit

'93-'94, although I had to do most of the work in anticipation of submitting it; although we kept Jack informed, he didn't know enough at that point. So most of the '93-'94 budget submission really was my work, and Jack had to live with most of it.

Lage: That's probably hard also.

Gardner: That's hard too. But we kept close contact, so there were really no surprises.

Retirement Package Controversy

Background

Gardner: Now let me go back to the controversy that surrounded my retirement arrangement. After I had decided to step down in November of 1991, I called Ron Brady in and I said, "I don't know what I'm going to do when I leave here next year, whether I'll take a professorship here at Berkeley or some other place, or take some other job. I don't know what I'm going to do. But I need to plan financially. I need to know where I'm going to be financially when I leave here. You need to find out from the Regents what they're going to do about the deferred compensation plans that they had approved in 1986 or '87."

And what did I mean by that? Well, I of course had my regular University of California retirement. That was calculated the same as everyone else employed at the University of California; exactly the same way. Years of service, average three highest years of salary, and age. I could calculate that myself. But in 1986, the United States Congress enacted a major change in the tax laws, and one of the provisions was to eliminate the qualified deferred income plan option that some nonprofits had offered for years, and which the University of California also had in place. In addition to one's salary--prior to 1986--certain officers of the university received an additional amount of money from the Regents. The officers also contributed to this fund in the form of deferred compensation.

Lage: That they would receive upon retirement.

Gardner: Yes. That had been in place for years. I had contributed every year toward that, and the Regents had as well. Owing to changes in the tax laws in 1986, beginning in 1987, that plan was no longer possible. The U.S. government eliminated it. So this was

a substantial benefit lost to all the officers who were eligible for it and who had been participating in it.

The question arose, What do we do about it? This was a big hit. All of the salary comparisons, the compensation comparisons of officers of the University of California, were made with other institutions who also had this deferred arrangement, so all the comparison data on compensation included this. In 1986, I asked Ron Brady, "Find out what everybody else is doing. What alternatives, if any, are there to replace the plan lost in 1986 because of the tax law changes?"

The result of his inquiry and our own internal examination of it was that many universities, especially in our comparison group of institutions, were putting into place a nonqualified deferred income plan, to replace the qualified deferred compensation plan that the Congress had eliminated in 1986.

Lage: Sounds pretty similar.

Gardner: Well, it's similar in the sense that it's deferred, but in the qualified plan, the officer was vested in the plan and the plan could not be put at risk. You get it, you became vested immediately, with that qualified plan. For the nonqualified plan, you do not vest immediately; you vest at a later date. And until you get to that date, it's at risk.

Lage: At risk that you might not receive it if you don't vest?

Gardner: That is correct, exactly.

Lage: And is it one that you also contributed to?

Gardner: No. The officers had contributed to the pre-1987 qualified plan. But the contribution that the Regents made to the nonqualified plan was no greater than what they had contributed earlier to the qualified plan, although no officer contribution was required given the plan's at-risk nature.

Lage: But you weren't able to contribute to it.

Gardner: That is correct, we were not able to contribute as it was a nonqualified plan. So it was a nonqualified plan, which meant that it was at risk pending the vesting date. The Regents considered this, and they adopted it, and it was reported publicly as having been adopted. It was considered in the subcommittee on officers' salaries, it was discussed in the Committee on Finance in closed session, and in open session, it was reported and acted on by the full board. It was reported to

the press. Some of the same people who were critical of this plan when I received my retirement were involved in considering this plan, and voted to approve it in 1986 or 1987, I forget which year.

Lage: And thought it was fine.

Gardner: Never a problem. I do not recall any regent having objected to it. None.

Lage: Was it a unanimous vote at that time?

Gardner: I don't recall, but I don't recall any objections to it.

Lage: Is this what the other universities that you were looking at were doing?

Gardner: Well, several of the universities were putting this kind of plan into place, and a lot of the nonprofits were as well. It was the only way they could deal with this 1986 law. But Ron also found, in connection with his inquiry of other institutions, that in addition, the presidents often had a supplemental deferred income arrangement. This additional arrangement was also proposed to the Regents and was approved the same way procedurally as was the other one. It provided that for every year I served as president, I would receive 15 percent of my base salary for as many years after I retired as I had served as president before retirement. That was the deal, and the Regents approved it. And it was reported. So there were two deferred income plans for the president. Later on, this same arrangement was approved for Chancellor Young at UCLA and Chancellor Peltason at UC Irvine.

So when we came to the fall of 1991, I asked Ron Brady, "What are the Regents going to do about the vesting dates for my deferred income plans, if anything?"

Lage: Because your vesting date was--

Gardner: My vesting date was when I turned age sixty-five. When Ron first came to me, when the Regents approved of this in the mid-eighties, Ron came to me, as he did to all the chancellors, all the vice presidents, the principal officers of the Regents, all of whom were eligible for this, it was not just me--

Lage: It was twenty-two people, as I read.

Gardner: Something like that. All of those people were eligible for it. He came to me in 1986 or 1987 and said, "What vesting date do you want to put down?" I said, "I don't know. Can you put down one

date and then move it out?" He said, "Maybe, maybe not." "Can you put it down and can they move it back?" "Only if there's extenuating circumstances." I said, "But I don't know when I'm going to retire from this job." This is an important question because to receive this deferred income it depended upon your staying in the position to the date of vesting.

Lage: It could have been set at whenever you wanted?

Gardner: Whenever I wanted, I could have set it.

Lage: You could have made it three years?

Gardner: That's right. I could have. I should have. [laughter] But the way it was explained to me, there were problems either way, and I said, "Well, look, let's just put normal retirement age, i.e., sixty-five. That's the easiest thing to do. Besides, if it were known that I put a vesting date two years from now, three years from now, four years from now, that would be very interesting information for people to know."

Lage: They would think you planned to retire.

Gardner: That is correct. I would be a lame duck between now and then, almost. I mean, that exaggerates it, but you understand the point. I said, "Just put my normal retirement date as the vesting date." So he did.

So in the fall of '91, I said, "I need to find out what the Regents are going to do, if anything, on the deferred income," as I did not know what my financial situation was going to be when October of '92 came around, and I did not know what I was going to be doing after my retirement.

Lage: You were aware that five years wasn't quite up.

Gardner: Oh, yes, I was well aware of it. That actually was--it would have been six years. Secondly, I said, "What are they going to do on an administrative leave?" It's customary in American higher education for the presidents and chancellors of our universities to be granted a paid leave upon retirement from office, so they can either get up to speed in terms of their professorship, or as at least a break in terms of de-stressing from the job and preparing for a new one. I said, "I need to know. I need to be able to begin to plan for the fall of '92, and I can't even start," because I didn't have enough money to carry me for an entire year and so forth. "What are they going to do? Please find out."

First Sign of Trouble

Gardner: There were three regents--I think it was Regent Khachigian, Regent Brophy, and Regent Watkins--who were asked in behalf of the board to look at this. So they did. The first report Ron made to me was, "They're discussing the vesting date but are not sure about a paid leave." And I thought, What's going on here?

Lage: It indicated something to you.

Gardner: Yes. I didn't like what I was hearing about a reluctance to grant me a leave. I said, "Okay, you need to pin it down. I don't want this dragging on. If that's the attitude, or if there's a question mark, then I want to know exactly what this board is going to do. And I don't want to wait until September to find out." That was my reaction to his report to me.

He proceeded to work with them. Well, by the March meeting of 1992, they were ready to report to the board. Ron had given me bits and scraps of information about this, and we were all busy working on the budget and other matters. I was involved and busy, trying to do the job in a very difficult budget year and under professionally and personally stressful conditions. As we prepared for the March Board of Regents' meeting, Ron went over it with me in some detail. He said, "In consideration of the tragedy in your personal life, which fact is giving rise to your early departure, and none of which was envisioned when your vesting date was established, they believe that the spirit of the agreement ought to be honored, and they're going to make the vesting date effective as of October 1, 1992, so that these deferred funds will be available to you. They will also grant you a three-month leave with pay."

I said, "Okay."

Lage: It sounds--what we don't see on this recorder is your expression --as if the three months seemed short to you.

Gardner: It was short. But I wasn't going to hassle it at that point, especially in consideration of their having moved the vesting date. Now, this was early March. He said, "This will go to the board in March." He went over the figures with me, but I never really totaled it up. Or if I did, I wasn't paying as much attention as I should have, because it was about what I thought and I didn't think much more about it because it was essentially consistent with the deal they had earlier approved.

Lage: The deferred compensation comes as a lump sum?

Gardner: Yes, lump sum. And it was \$737,000, is what it was. \$737,000, before tax, was to be available by having moved the vesting date up to October 1, 1992; approximately \$450,000 after tax. That is what went to the March Regents' meeting. Well, at the time, that was just another item on the agenda, and I didn't think anything more about it.

March 1992, Regents' Meeting

Gardner: We got to the March 1992 Regents' meeting at UCLA. The week before the meeting, I had agreed to serve as president of the Hewlett Foundation, effective January 1, 1993. They had been in touch with me for several months, but I had not accepted. I had been approached by any number of other organizations around the country from the time I announced my intention to step down in November of 1991 until March of 1992, and I wasn't quite sure what I was going to do. There were a lot of opportunities in Washington, D.C., and other places. I finally decided just days before the March Regents' meeting to accept the Hewlett offer, so I knew then what I was going to do after leaving UC.

We went into the Regents' meeting, and I announced to the board that I was going to serve as president of the Hewlett Foundation, effective January 1, 1993, and that this would be reported--or else it just had been, I can't remember which--and that the matter of my retirement was on the agenda, and that I would absent myself from the meeting so they could have a perfectly free discussion. It was the first meeting of the Board of Regents I had absented myself from, except for the one mentioned earlier in these interviews. That was a mistake.

Lage: And it was closed session, as I recall.

Gardner: Closed session.

Lage: Was that more or less standard for these matters?

Gardner: It was at UCLA--oh, yes, always closed session. When you're dealing with personnel matters, it's closed. I left, and they met for an hour and a half. As time went on, I thought, What's going on in there?

Lage: Are you out pacing the hall outside?

Gardner: I was, I was literally out in the hall. All the staff from my office, the chancellors' staffs, and so forth, were also out there asking, "What's going on?" I said, "I don't know what's going on. They are considering my retirement. I don't know what's going on."

After the meeting, no one said anything to me.

Lage: No decision was conveyed?

Gardner: No, nothing was conveyed, and it was the last meeting of the day. The meeting was over shortly thereafter. Everybody took off. I went up to Ron, I said, "What the hell happened? What's going on here?" "Well, it was approved. There was no question on the substance of this issue, only a concern about how to report it." I said, "What did they decide?" "They didn't decide. They disagreed." I said, "What are we going to do?" "They don't want to discuss it any more," he said.

Lage: So they didn't resolve how to report it?

Gardner: They didn't resolve how to report it. They had acted on the item but had not decided how or when to report it publicly. I said, "Okay. In the absence of a contrary decision, we will handle this as we always handle items that have been discussed and settled in closed session," which is that the Monday after the Regents' meeting, we send out a press advisory and report it. I said, "Handle it the same way, unless after some discussions at dinner tonight I advise you to the contrary."

Lage: So you didn't think you needed to talk to the chairman or--

Gardner: I did talk to the chairman later that evening, and I talked to three or four other regents at dinner that night, and they agreed. I made the rounds at dinner that night and talked with them, and indicated I understood there was this discussion, there was a problem; this is what we ordinarily do, and unless directed otherwise, that's what we will do. Is that all right? Yes. Okay. Some of them may have been uneasy about it because of the discussion, but they didn't have any alternative suggestion to make. This was Thursday night. Our meeting of the full board was on Friday. The matter was not discussed at the Friday morning meeting at all. It was simply voted on and approved. We announced it the following Monday with a press advisory.

Lage: Did Ron Brady discuss with you the dynamic of the discussion?

Gardner: Not very much, But that was the way he was generally. He said, "Yep, they approved it." And the disagreement was not on the

proposal; the disagreement was on how to report it to the press. So that's what happened.

In retrospect, I should have been alerted more than I was to the disagreement perhaps masking some other things, but I wasn't, because if you had been at Regents' meetings, the president is at the center of it, he has to keep it going. You have roughly 125 items on the agenda, you have the press there, you have all the politics of it, you have the issues to get through, you have your staff working with you; and then we have a dinner immediately following, and then we have a meeting at eight a.m. the next morning. I didn't have a lot of time, either to think about it or do anything about it.

So when Ron told me of this problem, I availed myself of the dinner that evening to talk with six or seven regents and said, "I understood there was some concern about how to report it. You should know that unless I'm instructed otherwise, this is what we ordinarily do." I said that because I would be expected to follow established procedure unless otherwise directed by the board.

Lage: Were you concerned yourself about reporting it, given the climate of the times that you just described?

Gardner: I should have been more concerned than I was. I'll tell you why I wasn't concerned: it was because I thought that was the deal.

Lage: All along.

Gardner: All along. That was the deal. Now, if I had just decided to walk away from the job for no reason at all, that's another matter.

Lage: Apparently there was a previous occasion where the chancellor at Santa Cruz didn't have his--

Gardner: Yes. He was also eligible for this deferred compensation. Chancellor Bob Stevens of USCS was eligible for deferred compensation.

Lage: But he hadn't vested.

Gardner: No, he had not. They could have moved his vesting date up, but they did not. He had only been at Santa Cruz for a short time, I think three and a half years. I had been at the University of California for twenty years, and almost ten in the position of president.

Lage: Had he left with any extenuating circumstances?

Gardner: Not at all. He just chose to leave and go back to the practice of the law. He chose not to be chancellor any more. He just didn't want to do it. Didn't think the fit was so good, and undertook to resign. He himself never thought he should have it, because of the circumstances, and told me that. He told me that because his position was being misrepresented by certain regents, who were criticizing me for having received the deferred compensation when Chancellor Stevens had not. He called me from England to straighten it out.

Lage: Interesting.

Gardner: Yes. Not wishing me to believe that he had any ill will, which he did not. He said, "Hey, I was only there three and a half years, I left on my own volition, there were no extenuating circumstances, that was the deal." Not a problem for him. Others chose to make it a problem for purposes of making life difficult for me in making this comparison, especially Regent Hallisey.

Initial Press Disinterest

Lage: Okay, so it's announced.

Gardner: So it's announced. I went over the language of the news advisory on Monday, and we sent it out. The only newspaper in the state to pick it up was the *San Diego Union*. They said, "What is this?"

Lage: Was it sent along with a lot of other things?

Gardner: Yes, in the usual way. Four or five things, all reporting things done in closed session.

We had Regent Burgener go over, sit down with the *San Diego Union* reporter, and go through it. They reported it. They reported it correctly, and they indicated it was \$737,000; after tax, it was \$450,000-something. This is how it was earned, and that's what the Regents did, and this is why. No interest anywhere else in the state, nobody expressed an interest in it. The AP didn't pick it up; nobody picked it up. The *San Diego Union* made a fair and accurate report of the matter.

Regent Hallisey's Interest

Gardner: I then forget exactly when this occurred--I think it was the same week as the *San Diego Union*--I received word that Regent Hallisey, who had been at the March meeting, and who I later understand asked some unfriendly questions, had written to the governor--this is my understanding--sharing this matter with him, and indicating that my retirement was excessive, or words to that effect--I've never seen the letter, so I've got to be careful what I'm saying here. But Regent Hallisey's term was expiring, and I think he wanted very much to be reappointed.

Lage: Who had he been appointed by originally?

Gardner: Governor [Jerry] Brown. He apparently wanted very much to be reappointed, or to have some other opportunity within the governor's power to effect. And it had been told to me that there was some link between that aspiration and the purpose of his letter to the governor. The governor was unresponsive to Regent Hallisey's concerns.

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Gardner: I had no direct indication from Regent Hallisey that this was anything other than just a casual interest on his part.

Lage: Had you had any problems with him in the past? Any disagreements?

Gardner: There had been a couple of disagreements, but we had also agreed on a lot of things. I didn't have any reason to believe there was any personal animosity here. We had had some sharp exchanges, but they were not ad hominem at all, as far as I was concerned. Now, he had some problems with other regents, and some regents had problems with him. He had also been critical of Chancellor Young, Vice President Brady, and others within my administration over the years. Different issues. But I thought our relationship was okay. I mean, I never felt any special problem there. Guess I was mistaken! He did have a lot of problems with the then-leadership of the board, and in some discussions just before this, as a matter of fact, there had been some very sharp exchanges. So I think there was the cumulative effect of his unhappiness with some regents and with some key people in my administration peaking at the same time as his term was coming to an end.

Lage: Were the sharp exchanges with board leaders over particular issues?

Gardner: Well, it wasn't the issue so much as the tone of the disagreement, almost *ad hominem*.

Lage: On both sides, or--?

Gardner: Yes. And I didn't like it, and I think Regent Hallisey didn't like it either, and took it very personally, and developed an animosity for certain regents that helped sustain him through this controversy. And in that sense, I was more of an instrument for his getting at them than being the singular object of his criticism. I think that's a fair way of putting it. I'll get to that in a minute.

I have also heard, but do not know for certain, that Brady and I were the object of very considerable union resentment because we had been unfriendly to the unionization of the UC's teaching assistants and had, in the union's eyes, prevented a successful effort to unionize the T.A.'s. Senator Roberti, president pro tempore of the state senate, was closer to the union and to Regent Hallisey and, I have been advised, sought to convey the union's displeasure, at least in part, through Regent Hallisey's attacks on my retirement.

In any event, I then left for Hong Kong. This was before Jack was appointed. I already talked about how when I was leaving for Hong Kong, we were involved with the search committee and all that. I then left for Hong Kong.

The Story "Breaks": Intense Press Interest

Gardner: It broke while I was in Hong Kong and Seoul, not while I was home, and I don't think that's happenstance either. I was in Hong Kong, and this whole thing had just broken.

Lage: In the press.

Gardner: In the press. Accusations from Hallisey, accusations--

Lage: Did they have that press conference, Senator [Quentin] Kopp?

Gardner: I don't know if they did or not. It didn't make any difference; they released it. Accusations from Hallisey, accusations from Kopp, accusations from Tom Hayden and others. And at that point, they really weren't attacking me as much as they were attacking the Regents for having done this. They got to me later. Grossly

distorting what was done, and unwilling to explain why it had been done.

For example, it was represented that the Regents gave me a "golden parachute" of \$2.4 million. Well, the only way you get to \$2.4 million is to take the \$737,000 in deferred compensation, add to it my annual pension from the University of California multiplied by my actuarial life expectancy, then you get close to it. No one said, for example, that there had been a previous deferred compensation plan that had been abandoned. No one said this new plan replaced it. No one said that in order to get this money, I would have to live for twenty-five years or whatever it was. No one said that other officers had roughly the same plan. No one said any of that. The impression that was given was that they handed me a check for \$2.4 million just for the hell of it as I walked out of the office; and that was a deliberate, a deliberate misrepresentation. That started it.

And it grew and grew. Apart from the money, there was almost equal criticism of the board for having done this, quote, "in secret," and not having reported it, not recognizing that in our reporting, one newspaper picked it up because they were interested. The others didn't pick it up because I guess they weren't until Hallisey and Kopp got interested. In any event, that's how it was represented: a "parachute" for the president. It had nothing to do with a "parachute." It had to do with income that I earned over an extended period of time, and that I would receive over a period of twenty-five years, if I lived that long.

Lage: And that really was based not just on your presidency, the retirement.

Gardner: The UC retirement was based on my twenty years of service to the university; and I contributed to it just like you and everybody else did. Nobody ever mentioned that either. The impression was given that they just gave me \$2.4 million out of the blue, and that they did it in secret so as to hide it from the public, and that's the way it played.

Lage: In the midst of the budget crisis.

Gardner: In the midst of the budget crisis, student fees, and the national election. How could they lose? [laughter]

Now, I was away for that ten days, and it was just--. No one from the P.R. office ever called me.

Lage: They called you about Peltason, but not about this?

Gardner: No, Ron Brady called me about Peltason. No one from the University Relations office called me to say, "We've got a firestorm on our hands. What advice do you have for us? You need to come home." Nothing. Zero communication. Nancy was reporting to me, and Ron Brady a couple of times, but the people dealing with the press, those responding to the press, never contacted me.

Lage: Was there some reason for that?

Gardner: I don't know. It couldn't have been by inadvertence.

I returned home, then, and the full force of this hit me. I think it was a Saturday, or a Friday. All the clippings had been saved by Nancy from all over the state, so I had the picture.

Attempting to Address the Issue

Gardner: I immediately called Regent Khachigian, who was then chairing the Board of Regents, and I said, "I had not fully realized what was going on. I now realize what's going on. I'll tell you what I feel like: I feel like walking out the door." She said, "Would you give up all of your retirement deferred income, because it's conditioned on your serving to October 1?" I said, "I don't care. How I feel now, I'm ready to walk out the door."

She dissuaded me. I was tired from this trip. She dissuaded me from doing this. And we talked about how we might deal with it. I said, "The first thing we need to do is to get rid of this issue of secrecy. There needs to be a special meeting of the board, it needs to be convened at my request, it needs to be entirely in open session, no closed session, and we're going to run this through again, and you do whatever you want to do. You can revoke the earlier decision, you can modify the earlier decision, you can confirm the earlier decision. You do whatever you want to do. And that's the first order of business." She agreed.

When I got to the office on Monday, I began to arrange for a special meeting of the board, to make sure enough regents could come, that regents supported calling a special meeting and wouldn't resent having to be put through the grinder with the press. I called Willie Brown and indicated that I was calling all the regents personally, what did he think of this. He said, "That's a very good idea, I will be there."

Lage: Did he come often to meetings?

Gardner: No. He came at divestment; that was the only other time he came while I was there as president. But he was very supportive of me. I said, "I'm trying to get a sense of how this meeting is going to go. I'm not counting votes, but I'm trying to get a sense of how the meeting is going to go. What's your view of this issue?" He said, "I am 100 percent with you. It's an outrage, what's occurring. It's unfair to you, it's unfair to the Regents, and a great disservice to the university. I'm going to be there, arguing for it."

I thanked him and then said, "Now, I'm going to call the governor, and we are going to have a press conference, as we always do after Regents' meetings. I would like very much for you to be there, and I would like the governor to be there. Will you be willing to be there if the governor is there?" "Yes." "May I tell him that?" "Yes."

I then called the governor, and I talked to his chief of staff, Bob White. The governor was traveling or something. Bob White agreed that this meeting should go on, he indicated the governor would be there, and he indicated the governor would be unqualifiedly supportive, and thought, as Willie did, that it was an outrage, what was happening. I then indicated to him that there would be a press conference afterwards, that Willie had agreed to be there, and that I was inviting the governor to be there. I said, "Would the governor be willing to stay for a press conference afterwards?" He said, "Willie there?" "Yes." Silence. And I said, "Yes?" [laughter] "The governor will be there." That's how they worked.

Now, that was a horrible week, because when I got back, all the press knew I was back, and it was just a drumbeat. Every day, I would go out and pick up the paper, and it was worse than the previous day.

Lage: Were you getting calls from the press, or does that get handled through the--

Gardner: It got handled by others. I wasn't in a position to talk to the press at that point.

You need to remember where I was personally. I was still sleeping about three hours a night. I was still not completely recovered from all of these personal traumas. I was exhausted from this trip. I had been working very hard on the budget and other matters, and I was really--this is not a justification for anything, it's merely a description of how I was at the time--I

was really exhausted, and losing my patience. I'm a very patient person. And just disgusted with the whole thing. Because we had reporters calling us and saying, "You know, the regents who are most antagonistic about this are calling us every day. They're pushing this story, sending us documents, doing this and doing that. It was a campaign, not merely a news story.

Lage: It seems so sudden, from being kind of a unified board to what you've described.

Gardner: Well, the board was unified at this time; it was not divided. I'll go on. With the exception of two or three people, it was unified. Not bad, at that point. But there was this animosity, and all it takes is two or three people--

Lage: Who else besides Regent Hallisey? Regent [Yvonne] Burke--

Gardner: We had Regent [Glenn] Campbell.

Lage: Oh, Regent Campbell, way on the other side of the political spectrum.

Gardner: And Regent [Frank] Clark [Jr.] was not supportive, from Los Angeles, but for other reasons. But he was not openly antagonistic at this point.

Lage: And what about Burke? She voted--

Gardner: Yes, but she was very up-front about it. She said, "You know, I'm running for county board of supervisors for Los Angeles." She said this in open session of the board. "I'm running for county board of supervisors, and I can't vote for this. You've done a great job here, you earned it, you ought to have it, but I can't vote for it."

Lage: That's very interesting. [laughter]

Gardner: I always liked her, because she was real up-front.

In any event, the Regents' meeting was called then for Thursday, because I wanted to do it sooner rather than later, because every day there was more poison in the water. Senator Kopp called and said there wasn't sufficient notice to convene a special meeting of the board on Thursday. Technically, he was correct, although barely. Missed it by an hour or two. "Okay, we'll do it next Monday," I said. I don't want to have any issue about the propriety of the meeting, so we scheduled it for the following Monday, which was just as well. Actually, it was to

our advantage, because we got a lot of regents who couldn't have come on Thursday.

On Friday, the Friday before the special Regents' meeting scheduled for the following Monday, I had been back a whole week, and I was as tired as I remember being in my life, and I had had a chancellors' meeting that day. I convened them to get their advice, and they were greatly distraught. So was I.

Lage: They had the same benefit package.

Gardner: They had exactly the same benefit package except only Chancellors Young and Peltason had the 15 percent of base salary plan, and while they were concerned for me, and my mental state and attitudes and so forth, they were also concerned for themselves and for the university, not surprisingly. And I think the general view was that if I were to resign, as I was considering, and relinquish the deferred compensation as a consequence, they would be under pressure to relinquish theirs as well, and therefore were not encouraging me to leave before October 1. I don't mean just for that reason, but I think that was a factor.

They were also of the opinion that I ought not to step down in the middle of the budget problem and everything else, although they were, I think, comprehending of my state of mind and situation and supportive of whatever I decided to do. That was a sad meeting. I thought, How have I gotten into this situation? What is there that's driving this? What is causing this? This is not just a newspaper story; it was every day for weeks. This is not just a story, it is a campaign, an organized campaign.

Lage: And not just one newspaper.

Gardner: And not one--it's a campaign. What's going on here? I'll come back to that a little later.

I then met with the vice presidents after having met with the chancellors, and we had essentially the same kind of meeting. I was then meeting with two or three of the vice presidents about five to six o'clock in my office on Friday, and I said, "You know, I've had enough travail in my life the last year, I don't need this. I've served the University of California for twenty years, through student riots, six-day weeks, through ten legislative sessions, over one hundred and fifty Regents meetings, et cetera. I don't need this." And had resolved in my own mind to step down immediately even though I would have forfeited all of my deferred compensation in doing so.

Lage: This is Friday.

Gardner: That's right. And I was in the process of giving them instructions to that effect. I had already given a draft of my resignation statement to Nancy, and she had typed it ready for my signature. My daughters were calling, urging me not to do this. My brother called, "Don't do this." They had heard some speculation about a possible resignation on the radio. Nancy didn't want me to do it. But I had had it, and I thought, If I stay on with this, I may not make it through. I don't think anything is worth that, at least as far as I'm concerned.

I was in the process of giving them instructions regarding the resignation when I got a call from the governor at six p.m., just as our meeting was breaking up. I didn't call him. I would have called him shortly, of course, but I hadn't called him at that point. I hadn't called anyone. He just happened to call.

Lage: Just happened. This isn't part of another campaign?

Gardner: I don't know, unless somebody called him and said, "Hey, you better get hold of Gardner," I don't know. But as far as I know, he just called. He said, "How are you doing? I just heard on the radio you may be thinking of stepping down." There were some rumors to that effect. All you have to do is say one word to one person, and out it goes, right? That goes back to the point I made earlier in our discussions.

Lage: Right.

Gardner: I said, "Yes, I am, as a matter of fact." He said, "Well, you don't want to do that. I can see it all now: you've been away, you're jetlagged, you've had a drumbeat of criticism all week, this is Friday. You're sitting around, exhausted at the end of the week. This is no time to make that kind of decision."

Lage: A very personal message.

Gardner: Oh, yes, it was. He said, "You shouldn't do this, for the following reasons: the university is going to be more harmed than helped if you do that. Think of the consequences. Who's going to take over? You're in the middle of a fight for your life on the university's budget," and he went through and he said, "Now, as far as you are personally concerned, this is no time for you to make such a decision. You need to promise me that you'll rescind any decision you've made, immediately. You should go home. Who's home with you?"

I said, "Well, my daughter Karen is coming up tomorrow from San Diego." He said, "You take her, you go up to Napa, go get a mineral bath or whatever. You get away from the Bay Area, you go

breathe some fresh air, get rested, get a good sleep, and you call me Sunday. And if you still want to resign, I'll support you. But I won't support you tonight."

Lage: Fascinating.

Gardner: Yes. That's exactly what happened. I said, "I don't think I'll feel any differently Sunday, but I really appreciate both your concern and confidence, and in consideration of that, I will rescind it, and I'll call you Sunday." Sunday, because the Regents' special meeting was scheduled for Monday and I didn't want to send the Regents through this drill if I was going to step down anyway.

I hung up, told the vice presidents, "Forget it. Leave a phone number where I can reach you Sunday." So they left, perplexed. [laughter] That's exactly what happened. And I took Karen and we went up the next day to Napa. That's exactly what we did. I got a good sleep, and I woke up Sunday morning, and I really felt pretty good. Upon awakening Sunday morning, I thought, Why is it that all the people who are unfriendly to me are calling for my resignation--as they were, in Sacramento, and Senator Kopp, Senator Hayden, and Hallisey calling for my resignation? People who are attacking me are calling for my resignation, and my friends are urging me not to resign. Why am I thinking of resigning?

Lage: [laughs] That's good thinking.

Gardner: Yes. I finally was thinking straight. I said, Something's wrong here in my thinking process. I called the governor, I said, "Hey, I'm aboard, we'll see it through. I greatly appreciate your having called and your personal good wishes and encouragement as well. My adrenalin kicked in, and we're going to be fine." "Great," he said. "I'll see you tomorrow." The Regents' meeting was on Monday.

Lage: And that was the only issue?

Gardner: That was the only issue; it was convened for that single purpose, of redoing this discussion and doing whatever they wanted to do.

Lage: In open session.

Gardner: In open session. So nobody can say it was in secret.

Special Regents' Meeting

Gardner: The meeting was at UC San Francisco, and it was a very interesting meeting. I think half the world's press was there. It was all being televised. The room was packed. I think all the regents came. Willie Brown was there, the governor was there, and so forth.

Lage: Leo McCarthy.

Gardner: Leo McCarthy was there. They were all there. I don't know anybody who was not there. They really did a fine job. They took the issue on, they recalled the history of it, they recalled the particular arrangements, they made it clear that it didn't pertain just to me; they traced the history of how this came into being and why they acted as they did. The governor made an excellent statement of support, and why he thought the Regents' integrity was an issue here as well.

Lage: In terms of keeping to a commitment.

Gardner: A good-faith employer, keeping a good-faith commitment, and that was an issue, not just me. Did a very nice job. And while the regents who were supportive would speak, various people in the audience would be catcalling and criticizing and interrupting.

Lage: Did you have a sense of who these people were?

Gardner: Oh, yes. I had my daughters sprinkled throughout the audience, so I knew what was going on. And my brother as well.

Lage: That must have been hard for them, too.

Gardner: My brother was sitting right in front of Senator Kopp. Kopp didn't know it. I learned a lot. They all thought Willie Brown was going to support their view.

Lage: Oh, they did?

Gardner: Oh, yes. They were startled when he came on supporting me.

Lage: How interesting.

Gardner: Yes.

In any event, when Willie Brown spoke, he started--when it was clear that he was going to be supportive of the Regents' action, and not unfriendly, some people in the audience started

to criticize him. He stopped, and he said, "I am going to give you a lesson on free speech." And he gave one of the best expositions of the rights of others in a free society. He said, "I was out on the streets on issues before you were born." He was really superb. Not a note. He was great. Then he got back to his text and indicated that this was a matter of honor and responsibility, and so forth, and did a great job.

Regent Hallisey came on toward the end and made his argument as best he could. At one point in the argument, he made a reference to Libby. He said, "You know, everybody has problems. Some kids are druggies, some people get divorced. What makes Gardner's problem so special." I almost got up to go over and-- I'm not sure what I would have done, but it wouldn't have been good for him. I forget who the regent was sitting next to me, but he put his hand on me and said, "Don't do it." That's what happened. I almost did. I said, "If I hear one more reference to Libby, you're going to have to just watch me go." And that's how I felt about it.

Then the vote was taken.

Lage: It was only Burke and Hallisey against, and it was Campbell, McCarthy, and yourself abstaining.

Gardner: That's correct.

Lage: You haven't talked about Campbell's role. Did he speak?

Gardner: No, I don't think he spoke, or if he did, I don't recall. He at that point was less alienated than he was later on. He abstained.

Lage: Leo McCarthy abstained. Did he speak?

Gardner: He did speak, and his was a reasonable comment and observation. He abstained, which is okay. And Regent Burke said, "I can't vote for this, I'm running for public office." [laughter] And Regent Hallisey. So the board was not fractured at all. Not at all. At that point, I would say the board comported itself in a very responsible way under very adverse circumstances and was very unified.

Following the meeting, there was a press conference. Governor Wilson was there, Speaker Brown was there, and I was there, all three of us. And I remember, to illustrate the nature of the press conference, Regent Hallisey was out with the reporters during the press conference, whispering in their ears. So was Senator Kopp, suggesting various questions. And someone

said, "I understand that you had a maid at your home, and it was paid for by the university." I said, "As you know, I have a housing allowance which covers the cost of maintaining the home. I have a lady who comes in for one and a half hours once a week to clean it. Is that what you mean by a maid? Because that's all there is." "Oh, well, uh." They were putting suggestions into the ears of various uninformed but striving reporters.

Lage: And they were questioning a lot of things that hadn't really been questioned, like the housing allowance.

Gardner: Yes. I mean, that was fully reported when I came here, it was reported in spades, it was all in the open, it was not new news. It was just dredged up by reporters who hadn't been there in 1983. For them it may have been new, but it was not news in terms of the public acknowledgement on the part of the board and myself. There were a lot of questions about all that. On balance I thought the press conference went pretty well, actually.

After the meeting, I resolved to effectuate changes in our compensations policies. I thought, We need to have compensation policies that are comprehensible to the average citizen. This distinction between a qualified deferred income plan and a nonqualified deferred income plan, nobody understands it. I can barely understand it. And because it's obscure, and because it's not uncomplicated, it's very hard to communicate to the average citizen what's going on, and they suspect something. We're going to have to change our policies to make them simple and comprehensible.

We set about for the May meeting of the board--there was no April meeting--to effectuate a number of changes in our personnel policies with respect to executive compensation. These were approved in May along with a number of other things as well.

Lage: Were they just definitional, or did they affect the amounts?

Gardner: I can't remember the particulars, but they were intended to simplify our executive compensation policies. It would be in the May 1992 meeting of the board. The press and public response to these changes was positive.

Fallout

Gardner: Then, of course, once there's blood in the water, all the sharks are out, and they're not particular about whose blood it is. Then the question was, "Well, how about all your expense accounts? We're going to do an audit of all your expense accounts." So they did.

Lage: The university itself?

Gardner: No, the state auditor came in. The legislative committee that was considering this said, "We don't have enough money to authorize this." I said, "We'll pay for it. The university will pay for this audit." So we did, and they came in, and they had to find something wrong, right? So they went back, and they found that so-and-so did such-and-such--a few things like that, all blown up, it's all reported. Willie Brown said, "This is about the cleanest audit I've seen, and you'd think it was the worst, the way it's been reported."

I forget the particulars, and it hardly involved me at all, it mostly involved some of the vice presidents and chancellors and so forth.

Then there was the whole issue of the appropriateness of the executive compensation, and the board wanted some independent advice on that, so they engaged the former legislative analyst, Alan Post, to prepare a report to the board on that issue, which he did.

Lage: Had you been involved in choosing him?

Gardner: Yes, I knew him, and I had suggested that he would be a very good chair of such an effort. He and I really disagree on some things. He undertook in his report to suggest that--and this is a different philosophy here. I don't mean it's illegitimate; it's legitimate. He said there ought to be a relationship between what the president is being paid and what the faculty is being paid, and the president shouldn't make more than two times what the senior professors make. I said--because he came and briefed me ahead of time--"Which senior professors? The medical school professors, all of whom make more than I do right now, and by quite a margin?" So too do the football and basketball coaches.

Lage: They do?

Gardner: Oh, sure they do.

Lage: I didn't realize that.

Gardner: Yes. "Do you mean the professors of law? Which professors do you have reference to?" "Well, you'll have to work that out." And then I said, "But you're not hiring a professor, you're hiring a president. The president doesn't do professorial work, although he or she could, but isn't at the moment. It's a different job. It's a different world. There's a market for these people, just like there's a market for the professors, and what you're suggesting is something that's wholly unrelated to the market." But he just shrugged.

He wrote a report, and I wrote a rebuttal to it. That's in the record.

Lage: And he was critical of the size of the executive salaries.

Gardner: That's correct. Without any reference to what any other president was making around the country, I might add.

Lage: He didn't do the market survey?

Gardner: No, he didn't do that. He just thought it ought to be tied to the professorial salary at UC, period.

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Lage: Had salaries in your comparison group, for the top administrators of universities, had they risen dramatically in the last ten or fifteen years?

Gardner: They had risen significantly, about at the same rate as the faculty salaries had gone up in the 1980s. They too had risen significantly. There is a certain parallel, but the gap, of course, was always there, so the question was what was the gap? Is it two times professorial salaries? Well, it depends. Now, if you look at what the president of a community college makes, they'll make less than a full professor at the University of California in the senior ranks. Are you asking what a president of the California State University system makes on one of the campuses? They would make appreciably less than I was making.

Lage: Of course, that's one campus.

Gardner: That's one campus. Then the question is, What about the chancellor of that system? The chancellor of CSU makes less than the president of the University of California. The University of California is an infinitely more complex place.

Lage: What about your comparison universities?

Gardner: That's the point. That's the point I want to get to here. Almost no one in the press ever wanted to report it this way, so they didn't. The way I explain it is as follows: the fees charged University of California students are compared every year to the fees and tuitions charged students at twenty-three comprehensive research universities in the United States. And it has been a matter of policy to keep the fees at the University of California below the average of those twenty-three. That's been the policy. Now, you could have a policy for keeping it at the average, or 10 percent above, or whatever, but the point is, there is a reference group. There's a reference group for the setting of student fees.

For the staff, we use the California State Employees Association annual survey of the public and private sector, and we make adjustments in the salary ranges, every year, based upon the market. For the faculty, their salaries are benchmarked to the average of four public and four private universities. The four public and four private yield up the highest possible average available. If we could figure out four different ones, or eight different ones that would improve UC faculty salaries, we would, as I mentioned earlier.

Lage: That's set.

Gardner: That's set. There is a market out there. That's how we argue for the eight.

Now, there's a market for people in the work I do, or I did, as well. It's a market that was surveyed annually by the Regents' committee on officers' salaries using independent professional firms for purposes of conducting the survey. And it was the decision of the board that the chancellors be at the average of their comparison group, and for the president and the vice presidents to be at the 75th percentile of their comparison group, the reason being that there is no university in the country as complex as the University of California. Just the management of three national laboratories isn't shared by anyone else, not to speak of all the medical schools and hospitals and land grant activities and everything else. It's an infinitely more complex university than any other in the United States. A \$10 billion a year budget with 155,000 employees and 166,000 students, and so forth. Nothing comes close.

Lage: Which ones did they choose, or what types?

Gardner: They chose the nation's leading universities, including those that are not multi-campus, public and private alike. That was the market. It was done every year. There was a written survey. We didn't do it; it was done by Towers and Perrin, which is an executive compensation company that specializes in this work.

Lage: And they do it for the Regents?

Gardner: They did it for the Regents. And the Regents reviewed it every year, and they make salary adjustments accordingly. This was total compensation, not just salary. They would have the housing allowance, they would have the car allowance, they would have everything else.

Lage: And the deferred compensation was also being done in these different--

Gardner: That's right. I would laugh at the newspaper's report of the stated salaries of certain presidents because I knew what they really were.

Lage: Of other presidents?

Gardner: Yes, and then they would compare their stated salaries with my total compensation. That's what they did.

Lage: Without including benefits?

Gardner: That's correct. That's exactly what they did. Now, the newspapers would not, of course, want to report total compensation, because it would have undercut their assertion that I was overpaid.

Lage: They also compared it to other state elected officers.

Gardner: That's correct, as though that has any relationship whatsoever to the work that we're involved in. There's a market for our work. That's what it is. So the point I'm making is that the salary-setting process for the chancellors, the vice presidents, the president, and the principal officers--and the vice chancellors, for that matter--within the University of California goes through a process of comparison with peer institutions just as we go through for every other class of employee in the University of California, and that's how it worked.

Now, when Alan Post made his report, it was my last day in office, and I wrote a rebuttal to it. I pointed out that his report ignored the market, and if you choose to ignore the market for the university's chancellors, vice presidents, and president,

it won't be long before they will ignore the market for faculty as well, which is what happened, I might add. I took issue with that. I don't criticize him; he's a fine person. But I took issue with his conclusions.

The Press Campaign

Gardner: Now, what drove all this--and one still reads about it, but then it was almost a daily occurrence, for months on end--the reporters themselves told us that this was an intense effort on the part of some people to keep the issue alive. It also sold newspapers, so they were happy to keep it alive anyway. Second, we've been told by at least one reporter that we got caught in something of a circulation war.

Lage: Between newspapers?

Gardner: Between newspapers. Third, I also believe there was a relationship between the conversation I had with Ralph Nader and some of the reporting that occurred and the displeasure of the unions toward Brady and me as well, as I noted earlier.

Lage: Can you draw a line there?

Gardner: Let me give you an example of how all this was treated. This all began happening in March of '92. When Jack Peltason was appointed, his compensation was fully reported by the board. It was the same package I had. Fully reported by the board, and fully reported by the press, including the *San Francisco Chronicle*, a very extensive article on it.

In July, several months after March, in July of 1992, I picked up the *Chronicle*, and here's a front-page story reporting President Peltason's compensation, as though it was new news. It was not new news. Nothing in the story was new; it was old news. Front page. What is this?

I arranged, with Regent Howard Leach's help, to meet with the top people in the *San Francisco Chronicle*, city editor and up.

Lage: Now, how does Howard Leach have these connections?

Gardner: He has contacts in San Francisco.

We went over to the Pacific Union Club and had lunch. I said, "What is this? This is front-page in July. This is news that was reported in full, in your newspaper, in March." I said, "Is this a newspaper, or are you part of a campaign?"

I forget which of the parties present said, "Well, we plead guilty." I think it was the city editor. He said, "This story came to me just before I went on vacation. I rejected it, because it was old news. I went on vacation, and when I came back, it had run." They made some changes after that, I might add, in the newspaper, in the people who were covering the higher education beat.

Lage: It must have been easier for you to do this on behalf of Jack Peltason than on your own behalf.

Gardner: Yes, it was. [laughs] I didn't hesitate on that.

Then I found the most offensive reporting coming from the *Examiner*, and the least accurate. I regard it as a journalistically challenged newspaper.

Lage: [laughs] Worse than the *Chronicle*?

Gardner: Yes. With the *Sacramento Bee* a bad third. The southern California newspapers, all things considered, did a respectable job.

Lage: Did the university have bad relationships with particular reporters, or you yourself?

Gardner: No.

Lage: I've always thought the *Sacramento Bee* did a pretty good job in Sacramento, at least.

Gardner: Generally speaking. You know, I have a lot of friends in California. I have friends who are reporters who are not on the higher education beat. I have them in the *Sacramento Bee*, I have them in the others--who are friends of mine I've known a long time. I get a lot of information from them. This was not just random reporting. I had a conversation not long ago with a key member of the staff of the *Sacramento Bee* who was responsible for writing some of these things, editorially or op-ed, and I was asking him about this. He said, "Well, you know, it was the times as much as anything. If that had occurred, say, three years earlier, no one would have paid any attention to it."

Lage: The budget crisis--all the things you mentioned.

Gardner: Everything. He said, "People wouldn't have questioned that. It was the times."

Lage: But he did write them.

Gardner: Oh, sure. It sold newspapers.

Lage: It is a business.

Gardner: Yes, it is. And that was surely driven home to me.

I was in my office one day, I think in May of '92, and the secretary of the Regents came in. She said, "Oh, I wanted to let you know that we sent out to Regent Campbell a verbatim transcript of the March closed session meeting of the board where your retirement was discussed. We did so at his request." I said, "You what?" No notice to my office, I knew nothing about it, I had never read it myself, I had never listened to it on the tape. And within two days, it was in the newspapers.

Lage: I think I saw some of those reports.

Gardner: Sure you did. It was in the newspapers. That was a deliberate effort to embarrass the board. I want to comment on that, because there were people who were critical of me for whatever reasons. For example, there are a number of faculty members at Berkeley who were very unhappy with me the entire time I was president, because I supported the university's management of the three national laboratories. They were part of the anti-nuclear group, and because I was the one who recommended the renewal of the contracts, I would be the object of their protest. Now, there were some who protested very quietly out front of University Hall. No problem there. There were others more active, and one of the more active members was Charlie Schwartz--

Lage: He's always active.

Gardner: Yes. And Professor Laura Nader on the Berkeley campus, Ralph Nader's sister. There was a lot of criticism of me that arose from such people who were unhappy because of my support for UC's management of the national labs and for a lot of other reasons unrelated to my retirement, who would then find the retirement to be a convenient way of venting their years of criticism, if not resentment of me.

Intra-Regential Animositities

Gardner: You would expect to find that, but more importantly, there were animosities developing within the board that proved to be more intractable than I had thought possible. For example, Regent Hallisey had felt trivialized by some of the comments that were made to him--

Lage: He was vice chair?

Gardner: I think at one point. Resentful, unhappy, and in my view, getting back at some of them. Regent Campbell even in his public statements indicated his unhappiness with the then-leadership of the board, and said he would do what he could to bring down that cabal, as he termed it.

Lage: What was he referring to? Who was "the leadership"?

Gardner: It was Regent Khachigian, Regent Brophy, and some others. They didn't get along--

Lage: Was it their personal--

Gardner: I don't know. I was not privy to it, I didn't pay much attention to it. There were bad feelings there.

Lage: So Campbell, although he didn't take a strong stance at the time, later became part of this--

Gardner: Later, he did. He later became very unhappy with me. He thought I should have given all of my deferred compensation back.

Lage: Had you had problems with him over the years? He's not an easy person, from what I've heard.

Gardner: No, no--he's not easy, but he had been very supportive early on. He had been instrumental in getting me appointed and had been very supportive. I don't know quite what happened, frankly. In any event, he was certainly an unhappy camper at that point, and was, I think, using this not so much to get at me but to embarrass certain members of the board, which was his intent. He was also a close friend and supporter of Chancellor Huttenback's at UCSB who was very unhappy with those of us in the president's office who were involved in the case affecting him, as mentioned earlier.

Lage: So a lot of things went in here.

The Ralph Nader Threat Revisited

Gardner: There were a lot of things going on here, all together. And it's a little hard to know how much the Nader thing played, but I think it played a significant role.

Lage: I forget quite how the Nader threat went.

Gardner: What he said, in effect, was that, "I regard the Regents as having declared political war on Cal-PIRG, and we're declaring political war on you. And it's too bad you'll leave office with your reputation and the Regents' in a shambles." So there was a lot going on here. He came into the state in the middle of all of this controversy arguing that the state constitution should be amended so that the Regents could be elected, not appointed. I understand Cal-PIRG pushed for an initiative to this effect. I've believed all along that the intensity of the press reports and their duration were not unrelated to Cal-PIRG's effort to stir up the people against the Regents so that an initiative to elect them rather than appoint them might pass.

The Legislature, the Campuses

Lage: What went on in the legislature? Did this come at you during the legislative hearings?

Gardner: Yes, but I was never directly confronted by it. It was all by indirection, and I think mostly because I got along pretty well with these people. Some of them talked with me privately.

Lage: Did it affect their votes on the university's budget at all, do you think?

Gardner: Some people think so; I don't. There were other forces at work I could tell you about. I don't think it did.

Lage: What about on the campuses? I seem to remember a certain amount of disgruntlement with all of this.

Gardner: Oh, there was, no question. On the campuses, the Academic Council, I thought, was pretty good. They understood it better than most, and I thought, all things considered, were quite supportive throughout. So were the student body presidents, frankly. And Steve Arditti, who is our legislative representative in Sacramento, was having a lunch with them in the

spring of 1992 when all this was being bruted about, and there was a break after lunch, and one of them said to him, "When are you going to ask us why we're not attacking the president?" He said, "I'll ask you now. Why are you not?" "Because we like him. And he's done a lot for us, so we're not going to attack him." And they didn't.

Lage: Even though there had been those rather dramatic fee increases.

Gardner: No, they were really good about that, and the student body presidents from all nine campuses gave me a very nice photo scrapbook and a little ceremony at our last meeting, and it was fine. Some of the unions made an issue of it for reasons I already stated and because of staff salaries and so forth, and that was perfectly understandable. And given the way it was misrepresented, I could understand why there would be a lot of--

Lage: They read the same newspapers.

Gardner: They read the same newspapers, and people tend to believe them.

Lage: Plus, it does seem like a lot of money.

Gardner: I know it seems like a lot of money.

Lage: To us poor people.

Gardner: Well, for me, the whole hullabaloo, after taxes, was about \$450,000, all of which I gave to my children.

Lage: That's very nice.

Gardner: I gave it all to my children, along with the life insurance proceeds I received as a result of Libby's death. I didn't need it, as I was then working at the Hewlett Foundation. I felt that this was money that she had earned by working so supportively with me over the years and it was, in a way, her legacy to our daughters. At one point, I had considered gifting this to the university, but did not want to do so in the middle of the controversy as it would have been misunderstood. And, then, as the year went on, I became increasingly resentful and decided to give it to my daughters instead, for the reasons I just described.

Disillusionment

Gardner: I should say one other thing. As the spring of '92 and the summer of '92 wore on, I became increasingly resentful of what was occurring: gross misrepresentations, the deliberate reporting of facts the reporters knew to be incorrect, the keying off of that by regents who were fighting one another, the use of it by certain politicians, and the people not wishing to be embroiled in controversy who might otherwise be counted on to help fading into the woodwork.

I thought to myself as the time went on, Well, I started with the University of California when I was about thirty years old. I spent ten very tough years with the University of California during all the student unrest. And I reflected back on all the stress and late nights that brought on a severe illness at Santa Barbara, and the commitment I made to UC over the years, and the travel and hard work. And then the efforts I had made as a vice president, and the successes we had had during my nearly ten years as president, and Libby's efforts as well, and all of a sudden, it is all forgotten.

Now, I should have known that this is how the world works, but it doesn't help remembering it when it's happening to you. I really wondered whether I should have come back to the University of California. I wasn't sure it was worth it. I wasn't sure I would have done it again, I thought to myself. I suppose, as the old saying goes, if you want appreciation, buy a dog!

And I kept getting hit almost every day. I would get up in the morning, I would go out and pick up the *Chronicle*, and there it was again. Then you spend all day trying to get it corrected. No one wanted it corrected. I'll say, however, the southern California papers were okay.

Lage: That's interesting.

Gardner: Didn't have any real problems in southern California. The *L.A. Times* was mostly accurate, and so was the *San Diego Union*, and the *San Jose Mercury News* was mostly accurate. It was the *Chronicle* and the *Examiner* and the *Bee*. The problem was focused here in the Bay Area, basically, but that's where I live, so this was a--

Lage: That made it even harder.

Gardner: Made it even worse. And on two additional occasions, I forget when it was, it was in the spring, late spring, early summer of

'92, I prepared two letters of resignation at different times. I went to the chancellors' meetings and distributed my resignation letter and said, "I'm going to announce this tomorrow." I'd had it up to here.

Lage: Prompted by another article?

Gardner: Yes. "I've just had it. I don't need this. All it's going to do is embitter me." But in a way, I was the shield for the entire executive compensation program. They would all be adversely implicated if I were to resign, and we were right in the middle of the budget discussions, and the governor was very supportive of me, Willie was supportive of me. Would they be supportive of my successor? Et cetera. They did not want me leaving.

And I would have walked away from the money. I didn't keep it anyway. I gave a third of it to the government and two-thirds of it to my children, as mentioned. I thought, The government can do without it, and the kids would be fine anyway, so why am I going through this? That's the way I was feeling about it.

Well, they talked me out of it both times, and each time I had come back, Nancy would then rip up my resignation letter.

Lage: Oh, gosh, what a story!

Gardner: Take it out of her computer.

Lage: What about your own university relations department? Couldn't they be helpful in handling some of this?

Gardner: I guess they felt they were being as helpful as they could, but--. I guess they tried. I did not feel overly supported.

Lage: In that venue?

Gardner: Yes. Either there or in Sacramento as it spilled over.

Lage: In Sacramento, in our own legislative office?

Gardner: Those two offices, the Sacramento and the university relations, were within one office. I think there was a tendency not to challenge people who are mad at you, and people kind of went along. I think I got hurt there, too. At least I was told I was by legislators who were friends of mine. But you know, at a certain point, I just passed the point of caring. Just did my work and got out. That's what happened.

Housing Allowance Arrangements

Lage: Is there anything else that we should talk about? Just one little footnote I'm sure: buying your house back.

Gardner: Oh, that. Oh, this was another contrived issue. I went to the University of Utah in 1973. We moved into a university-owned home in a residential area about five minutes from the campus. I was making about \$49,000 a year. I was paid a housing allowance in addition.

Five years into my service there, real estate prices really started to move up in Salt Lake City. The economy was doing very well, employment was up, and prices for homes were rising. And Libby one night said, "You know, when we leave this job, we're going to be like two twenty-five-year-olds going back into the housing market. This is not a good deal for us not to be owning our own home." I said, "That's right, and I'm not making enough to make up for what we are losing in real estate appreciation."

So I worked with the Utah regents, and I worked out an arrangement whereby they financed the home at the going rate of what they would have earned had it been invested in their investment pool. That was the interest rate charge, so they didn't lose anything. And I bought the home from them, at market value, had it all appraised, purchased it at market value. Then they paid me a modest housing allowance to cover that part of our costs that bore upon the official use of the home and so forth.

When I came down here, I came back into the California market, and the home we had sold for \$90,000 in Lafayette in 1973, when we returned in 1983 was worth about \$400,000.

Lage: That was the decade.

Gardner: Okay. So I'm coming from Utah, where the housing market was maybe a half to a third of the housing market in the Bay Area, into California. I've already discussed with you why we didn't want to live in Blake House; we wanted our own home. I said, "For my own home in California I want to parallel the arrangement I had at the University of Utah. Which means you loan me the money, and you give us a housing allowance. We'll use Blake House for entertaining, and then because of the tremendous cost of homes here, when I leave, if I can't sell the home, you'll buy it back at market value."

And that was the deal. They made me a short-term loan just until I could get my money out of the Salt Lake home, and then I

paid them back. Now, in Utah, what happened was that when I left, Libby and I undertook to sell the home ourselves. By the time we left there, the market was soft. It hadn't dropped, but it was soft. We couldn't sell it. I had two mortgages. We didn't have a lot of reserves, so I couldn't really carry two mortgages. The University of California then agreed to buy the Utah home. They would buy it, they would turn around and sell it. So they did buy it. They bought it at whatever market value it was set at, working with Utah and myself. They then turned around and sold it, and made a slight profit on it. Well, that's great, that's terrific, everybody came out, I thought.

Three years later, the person who bought it from the University of California defaulted. They had to take it back. By then, the market had collapsed in Salt Lake, so the Regents of the University of California then had to sell it at a loss. That's what happened. The loss didn't occur when they first sold it, but they had financed it--I didn't even know this--for the first buyer, and then the first buyer defaulted, and the second buyer then got it at a depressed price. So somehow, this was my fault, three years later.

When all this came out, "And now the Regents are going to have to buy your house again," the newspapers trumpeted. I said, "No, they aren't." I wrote a letter to the Regents saying, "I'll sell my own house, thank you very much. I'm relieving you of that obligation." And of course, in 1994 I did sell it myself and didn't have any trouble doing so.

That's the story of the housing. And they kept representing, these people who were attacking me, "Gardner had some deal in Utah, and he got away with it there, and he got away with it here." This was all reported completely in the newspapers in 1983 when I came here. It was all just so much rubbish. Garbage reporting.

Lage: People love a good story.

Gardner: They love a good story, and it surely does sell newspapers.

In Retrospect

Gardner: Let me just say finally, the period of fall 1990 to the fall of 1992 were the worst two years of my life.

Lage: I can imagine.

Gardner: My lifelong companion had passed on, and the kind of love affair that I had with the University of California hadn't worked out either.

Lage: Because you really had had this very strong attachment.

Gardner: Yes. I wouldn't have come otherwise. I wouldn't have done this job without it. It's not worth it otherwise. And I felt as though that had been compromised too. Now, I should have been more attentive in March to the particulars of this retirement. I should have anticipated more of the public reaction than I did. I shouldn't have absented myself from the Regents meeting where I would have got a flavor of it, and I think dealt with it.

Lage: But wasn't it standard that you wouldn't have been at that meeting?

Gardner: No, I shouldn't have been at the meeting, but I'm just saying in retrospect. I'm not putting blame on everybody else; I had my share. But it's also true I was not quite as on top of things as I had been professionally over the years, for a lot of reasons that I've made reference to in our interviews, and there were a lot of adverse forces at work out there. It was all coming together under these circumstances. Even so, even though I can sit back and analyze it and give you a description of what I think occurred, it didn't make me feel any better.

I felt that my life with Libby had come to an end, my children were all grown, my love affair with the University of California had gone sour, and so when I left office, I felt like I had never felt in my life before. My last day in the office, I just packed my things and walked out alone and went home to an empty house. I felt as though my contributions to UC over the years had meant nothing. I felt as though I had been crassly used to satisfy people's pettiness and envy and need to be vindictive. I felt used and abused and embittered, embittered because I had cared so much for UC and had given the institution all that I could and more, and, in my own mind, had contributed quite a lot. I felt betrayed by "friends" who went into the woodwork when I needed them. And I felt disillusioned by having observed the way the press is completely free to destroy a person's reputation and knowingly report falsehoods and to choose to sell newspapers over informing the public. So I've had to rebuild my--

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Lage: You had to rebuild.

Gardner: I had to rebuild, and I did it by taking employment that was completely new, which then in turn also allowed me to have a personal life, which my previous employment had not. I moved, and I really restructured my life. It took about two or three years to do that. I'm finally back in the groove, but that's what it took.

And I have not been back to the University of California with any frequency.

Lage: Do you still have these same feelings of--

Gardner: I do.

Lage: But you do come around.

Gardner: Little by little. I also have a lot of close personal friends who throughout have been very supportive, at Berkeley particularly. Glenn Seaborg has been wonderful, Clark Kerr has been wonderful, Neil Smelser, Marty Trow, other people that I've known over the years have been terrific. And several regents as well were supportive throughout: Regents Harold Williams, Roy Brophy, Dean Watkins, Meredith Khachigian, Leo Kolligian, Bill Bagley, Clair Burgener, among others.

But it's also true, not everyone has been terrific. People tend to want to believe the worst, not the best. People tend not to want to give you the benefit of the doubt, people have short memories, and, frankly, people are envious. And that's the reality of it, and that has been driven home to me.

Lage: It must have really kind of changed your view of human nature in some ways.

Gardner: It changed my view of human nature. I'm more cynical about it than I was before. Secondly, I have an almost completely cynical view of the press. I believe almost nothing I read in it. Anything I know about that I read by and large is in error, and as to their reporting of my circumstance, so much of it was contrived, so much of it was deliberately contrived or misleading, and much of it motivated by external forces. And it's a real abuse of the First Amendment, in my view. And the party who is under attack is almost defenseless. That's my view of the press. They make everyone accountable to them; but they are accountable to no one.

And the importance of family was driven home even more strongly than it had been before, with our daughters and other close personal friends. What I found is that the friends I had

known for years, forty years, fifty years, from high school and up, were the ones that rallied around, came forward, and then people from my church and people from the university whom I've known.

Lage: Did you stay in touch with Jack Peltason?

Gardner: Oh, yes, I kept in touch with Jack. He had his share of problems. I think his view may be more like mine than it was before he took office.

I'll never forget one thing Roger Heyns told me once. This is before I was having any problems. Because the fact is, I really led a charmed life. I had no problems at Utah, ten years --it was a ten-year honeymoon. And at the University of California, with the single exception of divestment, it was nearly a ten-year honeymoon too. Just the last six months of my service there.

Roger told me once when I was going on about how enthusiastic I was about my work at the university, and what was going on, and the good things that were happening, and how good I was feeling, he said, "Don't get too close to it."

Lage: Was this while you were president?

Gardner: Yes. I knew Roger. He and I were friends. This was when he headed the Hewlett Foundation. I was down there for something in 1989 or 1990, I forget--I had asked him to speak for the commencement at Riverside or something, so I came down to see him. Anyway, I hadn't seen him for a while. And he was a big help to me during the 1960s when we were having a lot of problems at Santa Barbara and he was chancellor at Berkeley. I was going on about how well things were going, and he said, "Don't get too close to it."

And then, I didn't really quite understand what he was telling me. I do now. You know, the University of California is not very kind to its administrators.

Lage: There has always been a tension.

Gardner: Look at Sproul during the loyalty oath, and Kerr during all the troubles he had. I remember Dave Saxon once said, "If I stay in this job much longer, I'll just be a puddle on the floor."

Lage: Oh, dear! This is very depressing.

Gardner: That's the reality of it, Ann. I learned a lot of things and will hopefully benefit from them over time.

Lage: Let's stop on that note.

Gardner: Yes. [tape interruption]

A Footnote: Life Insurance "Scandal"

Lage: You wanted to add another unpleasant incident here.

Gardner: Yes. In the summer of 1992, the *San Francisco Examiner* wrote a story that implied that I had wrongly undertaken to put life insurance on Libby, knowing that she was terminally ill. That was the implication if not the assertion of this article, although I think it was written more by attorneys than by journalists.

Lage: By attorneys?

Gardner: Well, their handprints were all over the article, so I couldn't sue them, I guess. That was the intimation of this article. I remember opening the newspaper, and here's a picture of Libby. This was the only newspaper in the state to publish it. No one else published it. They had all heard the story. And it apparently came from someone at the Berkeley campus, an anonymous letter which I've seen, sent to the press, alleging that I took out insurance on her life after I knew she was terminally ill. It was a lie.

Nevertheless, once an article like that is written, there's no way of recovering in the eye of the public. I don't care what you say in response or in letters to the editor, it doesn't make any difference, even when her attending physician confirmed my recollection and countered the newspaper's account publicly. The damage is still done.

What happened was, well before we knew she was even ill, we received, as every other employee of the University of California received, information on open enrollment for life insurance, right?

Lage: I'm very familiar with that.

Gardner: And we received the information either in September or October, I forget which; but the open enrollment for UC employees was in

November. In other words, if an employee wanted to sign up for the life insurance or sign up one's spouse, one would do so in November after having received information on the program in September or October.

Lage: Yes.

Gardner: This came through as I think a new program or something, some addition to our UC insurance program, or favorable premium rates, I forget what it was, and UC made a special effort to inform UC employees of this program. I received the information at home just as did all other UC employees, and I read it, and I talked with Libby about it. I said, "You know, if something happened to you, there are a lot of things you do that cost a lot of money if someone else does them, and there's no insurance on you of any kind." Marci was still in school and so forth, and I said, "Who knows what might happen in this world?"

This was the first time I had really thought about such a circumstance because when you're younger you think you're immortal, and Libby had always been so healthy. Her disc problem, and occasional need to rest her back, called out to us that we were getting older and perhaps we should allow for my being disabled, and something happening to her, and the financial problems I would confront under these circumstances. The premium was a nominal amount of money, and I said, "We ought to take some insurance out on you."

So we did. I signed her up. And it was some time after that, not before it, that we learned that she had an illness that could be terminal, and even then we did not know it was going to be terminal.

Lage: And you're right about when it comes out in the press, there's not much you can do.

Gardner: Nothing you can do about it. If I had known she was terminally ill and taken insurance out on her, and falsely attested to the insurance company that I was not aware of any terminal illness, it would have been one thing. This is what the newspaper was intimating. A simple decision to take account of a new university program--and I wasn't the only one who enrolled in it, I might add; thousands did--to take account of the fact that we were both getting older, and if something happened to her, and, for example, if I was also unable to work or became disabled, the UC's disability insurance isn't all that much, as you know, and our savings then were not that consequential. If I had been disabled, and something happened to Libby, I really ought to have some insurance on her. That's what we were thinking. So we

decided to take it out. And then subsequently, not too far off, but subsequently, her disease was diagnosed.

Lage: It is a pretty low blow.

Gardner: That's a charitable way to put it. And I had heard that Senator Kopp was considering making an issue of this. I do not know whether that's true or not, but that is what I heard.

Lage: Subsequent to the article?

Gardner: No, before the article. Thus, I met with him in Sacramento and told him I had heard that he might be intending to make an issue of this. Steve Arditti was present, so was Senator [Alfred] Alquist. In fact, Senator Alquist had helped arrange the meeting. He was a wonderful man and a very respected legislator. I was not alone. And Kopp disclaimed any interest in making an issue of it and so forth, and that may or may not have been his intention, I don't know, although I suspect he was interested because he was on the attack, and I had been alerted by friends that he was thinking of doing so. In any event, shortly thereafter, it appeared in the *Examiner*.

Lage: If you can't get something politically, you get it through the press.

Gardner: That's right. And I don't know when I've been as mad or as discouraged as when I picked up the *Examiner* and saw Libby's picture in the paper and read this rubbish. I wondered how the people responsible for such things can look at themselves in the mirror each morning. They are beneath contempt, as far as I am concerned.

Lage: Had you had difficulties with Senator Kopp before?

Gardner: No.

Lage: Or had the university?

Gardner: I don't know; and I had only met him once.

Lage: It wasn't a known factor.

Gardner: And I gave the insurance money, and the after-tax deferred income monies that I received from UC to my daughters, as I mentioned earlier. Because I saw that as Libby's inheritance, as it were. And I'm now in a position where I don't need it, and, therefore, I didn't need the insurance and I didn't need the other, because I'm employed by Hewlett and I'll be fine.

So there we are. That's what happened. And the way the article was written, it gave the impression that somehow, once upon learning that she had a terminal illness, I ran out and took insurance on her life. Can you believe that? It's unbelievable. Now, I talked to the editors of a couple of newspapers around the state who did not run this. Only the *Examiner* ran it. They were shocked that the *Examiner* would run such an article, and dismayed that they ran the article, just as I was. I even asked an attorney to read it, to determine whether or not I had grounds for suing. He said, "Well, the lawyer's fingerprints are all over it."

Lage: The way it was stated.

Gardner: The way it was stated. It was all intimation.

Lage: Okay.

Gardner: So I can't help but think that some of it was personal, but I don't know who. One can only suppose.

1996: Affirmative Action Update

[Interview 12: January 25, 1996] ##

Lage: It's just so interesting how current events are interfacing with our interview.

Gardner: I know. [laughter] It's really true. Some issues never seem to die.

Lage: What I read in the paper about how President Atkinson has handled the postponement of implementation of the new affirmative action policy doesn't sound like the way you would have done it.

Gardner: Well, of course, I've learned to be cautious about drawing conclusions from newspaper accounts.

Lage: You're right. I wondered about that too.

Gardner: And I have no additional knowledge of my own beyond it, but it's interesting, because the Regents, whatever the merit of their action, enacted a policy in July of '95 fixing the university's position on affirmative action and directing the administration to implement it according to a specific timetable. The president has no discretion in such a matter but to implement the policy as

specified by the Regents. Of course, the president could return to the board and indicate that, "Upon review, for the following reasons, it appears either undesirable or impossible to reach your stated objective in the time period specified. Here are the reasons why," and invite a reconsideration of the timetable by the board.

But if one can believe what one reads, the president apparently drew that conclusion himself, chose not to take the matter back to the board for reconsideration but instead delayed the specified timetable by a year, and did so administratively. Now, if that is what happened, and I don't know if it did or not, then it would be considered by some regents to be an overreach by the president at worst or a gamble at best.

Lage: It sounded like it. But again, we don't know.

Gardner: But who knows? Now, whether he cleared that with the chairman of the board, or with the persons who are serving on the cognizant committees of the board, and felt that was sufficient, I don't know. Whether there were miscommunications between the president and the governor and certain members of the board on this issue, I don't know. Whether the president interpreted the resolution such as to accord him that measure of discretion, I don't know.

But, if he doesn't have either the real or the implied authority or some informal understanding with the board, or key members of it, and merely acted administratively, then the problem is self-evident: those who oppose the Regents' action within and outside of the university, that is, the action of the board last July on affirmative action, will be encouraged by the president's decision. This will then create within the institution a level of anticipation and expectation in this matter that may not be susceptible to being accommodated when the Regents meet on this matter next, which they surely will unless the president modifies his position or rescinds it.

Lage: After all, it was just a postponement.

Gardner: Right. And, on the other hand, if one can believe what one reads, the reaction of the key regent and the governor in this matter was so adverse as to suggest that the Regents will be unwilling to accommodate this change. So the president then finds himself asserting his right to make the change and thus confronting the board on a matter of his authority as against the board's, a confrontation which one would prefer to avoid. It should be avoided because if the Regents accommodate the president on the matter, they're weakened; if the president is not accommodated by the board, then he's weakened, not only in

the eyes of the Regents, but in the eyes of the internal constituents. It's not a happy situation.

Lage: And for a new president, it sounds even more complicated.

Gardner: Well, it makes it even more complicated, this is true.

As I indicated to you early on in these interviews, decisions at that level are noticed. The president has a very heavy burden, and for a miscalculation at that level, there's always a price to be paid.

Lage: We'll see how it plays out.

Gardner: We'll see how it plays out.

More on the Retirement Package Controversy

More on Regent Hallisey

Lage: I sent you a list of some of the things I thought we had to finish up on, and it's up to you if you want to go into them. They are focusing more on the personal dynamics involved in the controversy around your retirement.

Gardner: Well, within the Board of Regents, there was a very substantial dynamic going on. I made reference to it before. Regent Hallisey was acutely unhappy with the way he perceived other Regents had treated him--

Lage: He was vice chair.

Gardner: Yes, but the vice chair has no role unless the chair is absent. The chair was not absent. Hallisey had also served a full regential term and had never been chair. And as the board became increasingly conservative, he became increasingly marginalized. He felt it, didn't like it, other regents emphasized it, and the exchanges among and between Regent Hallisey and some members of the board, especially those in leadership positions, were decidedly unpleasant. I think there was a resentment growing on his part with respect not only to the Regents, but in terms of his whole general association with the institution.

He's not one who especially cares for bureaucracies, and in that respect, he's not unique. He is not one taken to reviewing

his homework carefully. I would see him come to a Regents' meeting, and it would be obvious he would be reading the agenda almost for the first time. But that did not deter him from offering confident opinions on matters; and assertively expressed but modestly informed opinions create problems. He and I personally, I thought, got along okay, and I cringed at some of the criticisms that were made of him by some regents in open session. Nevertheless, I think his mood was increasingly dark with respect to the Regents in particular, and even the administration as time went on, and I thought he was really looking for an opportunity to express this resentment and frustration, and he found it in my retirement.

Lage: So that might have been somewhat behind his actions.

Gardner: I don't think there's any doubt that was a very important part of his whole attitude at the time, no question of it. Now, he's from San Francisco, he was very well connected in political circles there, he and Senator--

Lage: Democratic?

Gardner: Yes. He had been an important fundraiser for Governor [Jerry] Brown, and active in his support, which I assume was the reason for his appointment by Governor Brown to the board in the seventies. Very well connected to the political apparatus there, political consultants and others who are involved in running campaigns and so forth, as I understand it, in any event. Also a close friend of Senator Kopp's and Senator Roberti's, who was then serving as president of the state senate. And I think he was, at the time the Regents acted on my retirement, so frustrated with his position and so unhappy with the leadership of the board who were involved in devising this retirement proposal to the Regents, that he chose simply to take it on as an issue, and did.

Now, whether there were other forces at work that occasioned his involvement, which was extensive--calling reporters, spending a lot of time on it for months, actively campaigning, almost, as it were--

Lage: Making it into a very public issue.

Gardner: Yes. He wanted it to be a public issue, and worked hard to make sure not only that it was public, but that it stayed public for a very extended period of time. And after that, there was almost nothing I could do to work with him on this issue. He was pursuing his own view of it.

Now, I will say this: he never really went after me personally, at least early on. His criticism was directed mostly toward the Regents. I never felt a lot of personal animosity from him toward me at all, although it was always my name in the headline and always my picture in the newspaper, so that may be a distinction without a difference. But I don't think it's one he necessarily fostered, although Senator Kopp's views were very personal in their tone and character. I don't know what his problem was. But he is not one to shrink from whatever opportunity may offer itself for public notice or attention.

Lage: But the public perception might have been--

Gardner: That's correct. But the only way Hallisey could get to the Regents, with whom he was unhappy, or make whatever point he wanted to make in connection with this, was to implicate me directly, which he did. So I was personally affected by it, although he was not in his public utterances demeaning of me or anything like that. His criticism was directed to the leadership of the board. That is the point I wish to make.

And he worked hard at it. He worked hard at it, and not because he told me he did, but because I knew that he was making calls to various offices in the university requesting information, for example, getting information from the secretary of the Regents. Reporters told us he would be calling them very frequently, urging that they do this, suggesting that they do that. So for him, it was--I don't know if vendetta is a correct term, but it was the means by which he undertook to express his unhappiness with the way the Regents were comporting themselves, and also perhaps, his cumulative unhappiness with the university's administration. How much influence the union matter had on him, I don't know. Maybe more than I realize. In any event, it was for him a campaign carried out over a period of several months, and carried out with enthusiasm and energy. It was his cause, and he worked hard at it. He succeeded.

Lage: That seems like a good explanation.

Gardner: It is in any event a fair explanation.

Regent Campbell

Gardner: Now, Regent Campbell. Regent Campbell was the senior regent, and that was a position of respect, and it was a position therefore in which he expected to be respected.

Lage: Is that something that's noted?

Gardner: Yes. The senior regent sits next to the governor, or the chair of the board, whoever happens to be there. So the order was that whoever was the presiding officer, usually the chairman of the board, would sit in the middle of the table; the president would sit to the left; the secretary would sit to the left of the president. This way, the business could be easily dealt with as complications and clarifications were required and so forth. Then to the right of the chairman of the board sat the senior regent, by custom.

I had known Regent Campbell when I was a UC vice president. I also was somewhat acquainted with him when I was vice chancellor at UC Santa Barbara. I had known him a long time.

Lage: Had he been on the board that long?

Gardner: He had been on the board a long time.

Lage: He had been appointed by Reagan.

Gardner: Yes, and reappointed by Governor Deukmejian. His daughter had attended the University of Utah; I had seen him in connection with her studies there. He had been very supportive of my appointment, I think worked hard to secure it, was very happy when I was appointed, and was very supportive. Even though in many instances, he was not necessarily happy with certain positions I had taken, for example on affirmative action and so forth, he never made a big issue of it. He was supportive.

But I think I mentioned to you that in the year I came, I was appointed in March of '83 but did not take office until August of '83, Regent Campbell was chairing the board. But when I took office, he had been replaced--

Lage: Deposed.

Gardner: Yes. He was not reelected, as was customary, to a second one-year term and had been replaced by Yori Wada. I discussed this earlier.

Lage: Right, we did talk about it as background to your coming in.

Gardner: So I don't have to go through that again. When I came in, he had been replaced, and he was not happy about it. I don't mean he was unhappy with me--

Lage: You had nothing to do with it.

Gardner: No, I had nothing to do with it whatsoever. But he did not attend Regents' meetings for a very extended period of time after that, or if he did, he was in and out, just came for an hour and left. He was quite alienated. He eventually came back in. I would attend, and I would see him, and we got along fine.

Lage: Did he contribute to the meetings once he began attending them again?

Gardner: Well, he would participate in them, and often contribute as well. But he was a bit soured at that time, and so his contributions were not as uplifting or constructive as they might have been in earlier years. He just wasn't happy, and so he would be quite critical. Not of the administration generally, but of the position other regents might take, and so forth.

This became less and less of a problem for him as the board became more and more conservative, so there were fewer opportunities to enter into ideological discussions on various issues than there had been before. During this time, he had also retired as the director of the Hoover Institution, and this was itself not an altogether pleasant occurrence, I understand.

Lage: I remember that.

Gardner: Yes, and widely reported and so forth. He had soured on that a bit as well, so he was not a happy camper. When my retirement issue hit, he was not at the Regents' meeting. He had not attended the March 1992 Regents' meeting, it being at UCLA.

Lage: This March 16 meeting?

Gardner: Yes. It was at UCLA. And he somehow later got it in his mind, I understand, that he had deliberately not been informed that my retirement was on the agenda, which, of course, was not the case, absolutely not the case; but he felt that he had not been properly noticed with respect to this. And had he been there, he might have had some contrary views, but was not afforded that opportunity. Now, I don't mean that was a major problem, but it was just another factor that I think undertook to influence his judgment in the matter, especially later on.

More importantly, and only two or three months earlier, after I announced my intention to step down, which I did in November of 1991, the Regents, as is their custom and consistent with their policies, undertook to search for my successor. They proceed by the chairman of the Regents appointing a search committee of Regents. It had been customary for the senior regent to be appointed to such a search committee. In this

instance, the senior regent, being Regent Campbell, was not appointed. He was not happy with that decision, and expressed privately and in other places his unhappiness about it. And it tended to further aggravate, not create the aggravation, but to further aggravate relations between Regent Campbell and the chairman of the board, and one or two others who had been, in the course of that particular time span, in the leading board positions. So he was very unhappy with them, and, perhaps even with me, believing that I could have exerted more influence in this matter than he thought I had.

Lage: He felt shunted aside.

Gardner: He felt slighted, and so he was very unhappy, and had been quoted in the newspapers as saying that he didn't care for the leadership of the board, it was a cabal, and--

Lage: Even before this occurred?

Gardner: Well, about that time. And that he felt that they should be replaced.

Lage: Did you see it as a cabal?

Gardner: Not at all.

Lage: Was there a small circle of people who--

Gardner: No, no. Not any more than there ever had been. You always had some regents who were in leadership positions, and that varied from year to year. Changed all the time.

Lage: Even though there's a lot of consistency and continuity in the Regents.

Gardner: Oh, in the regents themselves; but within the board, they do rotate their responsibilities in terms of chairing it, vice chairing it, chairing committees, vice chairing committees, who serves on what committees. They move it around. He was referring to the leadership in place at that time and chose to refer to them as a cabal, as I remember reading it in one of the newspaper accounts, as I recall.

When the matter of my retirement was being reheard in April of '92 at the special meeting of the Regents, he abstained, did he not. Is that correct?

Lage: Yes, he did. He, and you, and Leo McCarthy.

Gardner: I was sitting next to Regent Campbell at the meeting, and he wasn't real happy with what was going on, but didn't want to make an issue of it, and then abstained from voting.

Now, for reasons that I do not yet understand nor about which I am informed, after that, he and Regent Hallisey, who were at complete opposites on the political spectrum--

Lage: [laughs] That's what's so intriguing.

Gardner: And complete opposites in terms of their own personal character and inclinations, made common cause on this. They did, because they were unhappy with the board's leadership, indeed the board itself, but for different reasons. But the object of their unhappiness was the common animosity they shared toward some members of the board and its leadership in particular.

Lage: The Regents and the dynamics on the board.

Gardner: Yes. And then I tended to be the means, or the vehicle, or the instrument by which their unhappiness was expressed, in order to get at the Regents.

Lage: Do you think they also had a philosophical opposition to high executive salaries?

Gardner: They never had expressed it. They had been members of the board of Regents, just like everyone else, when all these matters had come to the board in the 1980s, when these issues had been considered, had been discussed, and had been acted on. In any event, the executive salaries were not high; they were competitive with salaries paid by others doing comparable work at the leading universities, just as faculty salaries were competitive with faculty at such comparable institutions.

Lage: It wasn't a secret.

Gardner: There was no secret at all. All these reservations that they expressed later had not been raised by them earlier. They had not voted no on these deferred plans when they were earlier considered and approved, nor do I recall their having objected to them in any way. So in my view, it was not the substance of the issue as much as it was these other factors.

Regent Clark

Lage: Regent Clark?

Gardner: Regent Clark was another of those who had become unhappy, and he and Regent Campbell and Regent Hallisey were, I would say, the least happy members of the board, but all for very different reasons. Now, Regent Clark, who had also been a very strong supporter when I was appointed, and a strong supporter subsequently, and someone with whom I personally got along very well and liked, became disenchanted with Vice President Brady--

Lage: Oh, our next topic.

Gardner: Yes. And then periodically with other vice presidents, as well. For about two years before I left, he became increasingly unhappy with one administrator or another administrator, and unhappy with Chancellor Young, or unhappy with some other chancellor.

Lage: And he was a Los Angeles-based regent.

Gardner: He was.

Lage: Was he a Reagan appointee? He had been on for quite a while, hadn't he?

Gardner: He had been on for quite a while. I think he had been appointed by Governor [Jerry] Brown, and then reappointed, I believe, by Governor Deukmejian. Now, he's a smart guy, and he chaired the hospital governance committee and was a person who immersed himself in the issue and in the details, and we did our best to work with him, but I found--and maybe it's partly my fault--I found that it took a lot of patience to deal with the degree of concerns that he had, either about this officer or that officer, but I worked with him and worked with him as best I could given the time demand I faced.

Lage: Was he working on details of administration, things you wouldn't expect a regent to be so involved with?

Gardner: Yes, for sure. But anyway, that's the way he was, and that's okay. We have to respond to their concerns. But it was clear he was becoming increasingly unhappy.

It was also true that he was unhappy with some of the then-leadership of the board, who were not giving him the kind of committee assignments that he thought were appropriate, and were not in his view according the hospital governance committee the

measure of interest and time and attention that in his opinion it deserved. He chaired this committee. There was a lot of interaction there.

So there was another common thread in terms of unhappiness with some of the board leadership on the part of the three regents to whom these comments apply. And again, he never really attacked me, interestingly. He would be critical of this regent or that regent, or of this chancellor or that vice president, or what was going on. He was particularly unhappy with Vice President Brady.

All of this was fermenting and backdropping much of what was publicly visible, but mostly which was not publicly visible, but occurring in telephone conversations, letters, conferences, meetings, and so forth. Very complicated.

Regential Dynamics

Lage: I'm glad we talked about it, because not only does it shed light on this particular incident, but tells us something about the dynamics of the board that we really hadn't gotten before.

Gardner: That's right.

Now, it's also true that by then I was a lame duck, and with each passing month, that was truer and truer, and, therefore, there was less constraint on the part of regents who were unhappy as regards my situation. They might have been reluctant to conduct themselves earlier as they came to do in the later stages of my service.

Lage: Yes. That lame-duck status is not an easy one.

Gardner: Well, it was very instructive. I don't know whether I mentioned this before or not, but I found that once people know you're going, attitudes change, loyalties shift, positions are adjusted, personal relationships are modified. If there's any blood in the water, the sharks are all there. And then your capacity to cope with this is, with each passing month, more and more limited.

Now, I should say on the other hand that I had a peculiar problem here, because the controversy was not over a university policy, where I could jump right in and deal with it.

Lage: That's right, you could confront it.

Gardner: Yes, like divestment or whatever. I could jump right in, I could personally confront it, I could personally lobby, I could arrange for the dynamics to move along in ways that in my opinion were most constructive and optimal for the outcome that I thought was appropriate. In this case, I could not. The issue dealt with me, it was my compensation that was at issue, and I was almost muzzled in that respect, or I would appear to be overly defensive, or self-serving--

Lage: Whatever you said--

Gardner: Nothing I could say would not be subject to adverse interpretation. Therefore, others had to pick it up for me.

Now, who are the ones to pick it up? Well, the chairman of the board, vice chairman of the board, the chairman of the committee on finance, other key regents.

Lage: And did they? Are you saying they didn't?

Gardner: They did initially. They did as soon as I came back from Hong Kong and agreed to an open session meeting of the board and run the whole thing through again, as I indicated previously. They were very supportive then, and they were very courageous, and they stood up to the criticism. As time went on, that became less and less true. They felt more and more buffeted about, more and more criticized, not just for the compensation but also for the way they had done it. Regent Campbell had asked for a verbatim transcript of the meeting where my compensation was considered in closed session, and although I understand he denies his involvement, somehow that single copy found its way into the press. I don't know how it got there, but it did. That hurt a lot, and that created tensions within the board, a lot of criticisms, and so they were feeling the heat. And as the concern for themselves and for the board itself increased, their concern for me, I think, diminished in a corresponding way, as they were then anticipating the transition and so forth. So there was no definitive effort made on a regular basis to counter these false accusations.

I would contrast that with what happened at Boston University when John Silber was under attack for his compensation, which was maybe two to three times my own. The chairman of the board there called a press conference and said, "Now, what is this? Here's what we're paying Silber. Here's what other university presidents around the country are being paid. Our only regret is that we can only pay him this much, and this is what he's done for us, and he's worth it. So get off our backs." And that took care of it. That did not happen here.

Lage: Of course, it's a different setting, too, with a public university and--

Gardner: Well, that's a private university and this is a public one. Now, the Regents did that in a sense when they had the special meeting. That is true, they did, no question of it. But after that, it began to slip.

It's also true that I was in a weakened position, not only because of the lame duckness of it, but because I was still really suffering from Libby's passing, but I did not want to say that because people would think it was an excuse. And secondly, I was becoming so turned off and almost embittered about it that I lost my will to contest it. I was sleeping three, three and a half hours every night, as I have noted. I had only been sleeping three and a half hours a night from December, 1990, so that had been almost eighteen months at that point. I was exhausted. We were contending with the budget. I had had a heavy travel schedule. I was trying to get the transition in place for Jack. Everything was happening at once, and frankly, I was either too tired physically and/or too tired mentally to take it on.

Lage: But as you say, it was a hard issue for you to take on, even if you had been in top shape.

Gardner: I couldn't take it on anyway. I just said, "Well, the hell with it." And did what I could, and finished up. That's what happened.

Support

Gardner: Now, I did mention to you a number of friends who were very good, and there were others I could mention--Chancellor Tien was terrific, Chancellor Tien was and is terrific. He was very sad at what happened, thought it was demonstratively both unfair and unjust, that it clouded the kind of contributions, in his opinion, I had made to the university which should have been recognized, and haven't been, even now. He was terrific. And Chancellor Young was, and Chancellor Atkinson was, and Chancellor Peltason and Chancellor Krevans were. In fact, they all were. Indeed, Atkinson once told the Board of Regents that--not in open session, but he told--

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Gardner: --them I had been the most effective university president since President Sproul, that I had done more for the university than almost anyone in the university's history, and within a short thirty-minute period, the Regents destroyed it all by the way they undertook to deal with this issue.

There have been a lot of people who both know the situation and who are friends of mine who stuck with me and so forth, and I've mentioned some of them to you--Chancellors Krevans, Peltason, Huller, Young, Tien, Karl Pister at Santa Cruz, and so forth, and Atkinson. And then key faculty members at Berkeley, and--

Lage: Of course, all of these people didn't have to get their information from the newspapers.

Gardner: No, they did not. So it was a sad and disappointing time in my work with the University of California. I am I think finally able to kind of come to terms with it and deal with it, but it's affected my attitude.

Lage: Well, that's very sad.

Gardner: It is sad.

Lage: It wasn't just those nine years, but a very long career, indeed, a lifetime of involvement with UC.

Gardner: Yes, that's right.

Ron Brady

Lage: Ron Brady is mentioned a great deal.

Gardner: Yes. Well, Dave Saxon hired Ron Brady from the University of Illinois. When I came, I was advised by a couple of regents that Ron Brady's experience at Illinois, where he was a vice president, had not been altogether congenial, and I should have my antennae out.

Jack Peltason knew Ron Brady extremely well. In fact, he served with him at the University of Illinois. So I talked with Jack about him, and Jack said, "He's one of the brightest guys I ever worked with in my life. He gets things done. His interpersonal skills might be better honed than they tend to be, but that's the way he is, and on balance, you have probably the

best guy in the country." That was the response I got on that, so when I came, I asked Ron to stay on.

Ron solved problems. And when you solve problems, you make decisions. And in making decisions on hard issues, you will offend some people, by definition. He did, and didn't lose a lot of sleep over it. [laughter] That's the way he was. Now, I worked a little harder than he did to make sure people understood why the decision was made and acknowledge the legitimacy of their concerns, and explain why I couldn't accommodate them 100 percent. I mean, I would go out of my way to do that. Ron did not.

Lage: Did you ever try to get him to?

Gardner: Yes, sure. Oh, yes. I would say, "Ron, people are human beings, you know. You've got to work--." In any event, that was not his style. Nevertheless, he had a keen mind, he was creative, he was extremely hard-working, he was in many respects brilliant. And I don't say that about very many people, but he was. He did a tremendous amount of good for the University of California.

Lage: In what particular areas were his strengths?

Gardner: All of our personnel policies, managing all of UC's retirement arrangements, collective bargaining. We kept up on our benefit packages, we kept up on our compensation for our staff and our faculty and our administration, and that's really his work, to a great extent, paying attention to it, knowing what was going on in the country. His negotiations with the federal government on the national laboratories and our management of Lawrence Berkeley, Lawrence Livermore, and Los Alamos was brilliant, his work principally. In short, he handled all of the university's business and financial questions.

Lage: Would this be on financial issues, or on issues of management policies?

Gardner: Oh, the whole management of the labs. Bill Frazer, of course, worked with us on the actual research that was going on in the labs but was less informed about and less interested in the management issues. Ron Brady was the one who really worked with the directors on the management of those labs and did a superb job of it. He's the one who negotiated the contracts with the federal government that turned out to be so advantageous to us, and he was the guy who was tough enough to deal with the bureaucrats in Washington. That took skill, tenacity, creativity, and courage, and he had it all. He solved these

problems for me. So I became protective of him when he would be criticized.

Lage: From what I hear, he had kind of a condescending attitude, and people thought of him as hostile and would mistrust him.

Gardner: Well, he tended to be impatient with people whose capacities he judged to be more marginal than exceptional.

Lage: Regardless of their position.

Gardner: Almost regardless of their position. He would receive a nasty letter from Regent Clark, and he would write a nasty one back. I would say, "Ron, what are you doing! Regent Clark is a Regent." I would talk to him about it, and then I would call Frank and I would say, "Well, don't worry about the tone of it, just look at the substance." I was always working to keep it in bounds.

Lage: How about with your own cabinet?

Gardner: He would do the same thing. He would do it with me.

Lage: [laughs] Oh, really?

Gardner: Oh, sure. He was no respecter of persons, in the biblical sense of the term. But almost everybody, even those who didn't like him, agreed that he was a brilliant, capable, creative administrator who really made a great contribution.

Lage: So I'm assuming here, and I don't want to put words in your mouth, but you don't think you made a mistake to put so much power in his hands?

Gardner: No.

Now, if there was a vacuum, he tended to move into it. This could be a problem.

Lage: In what areas would there be a vacuum?

Gardner: For example, if he thought certain issues were not being dealt with by another vice president, he was not overly reluctant to suggest how those issues could be dealt with. I would then try to get the vice president who had cognizance in that area to deal with it. Sometimes they could and sometimes they couldn't. For example, Con Hopper, who was our vice president for health sciences and health affairs, was very good, very good at all of the academic aspects of our health professional schools and our

hospitals. I mean, he was really very good at the professional part of it. He was excellent.

He did not understand the balance sheets, however. He admitted he didn't understand the balance sheets. The fact is, I don't think I understood them very well either. It's complicated. Brady understood them in spades, so I would say, "Con, you've got to get Ron's help here with respect to the budgets and financial statements of our hospitals and clinics, because this is a billion-dollar operation and we're not on top of it." He said, "I'm not ever going to be on top of it. I can't get on top of it, and I'd welcome Brady's involvement." So then Brady and Con would work together.

And at Regents' meetings, when Con would make a report to the committee on hospital governance, every time we got to the money aspects of it, Ron would come up to the table and the two of them would work together. Now, in this case, they got along fine and they worked very well together.

In other instances, another vice president might not work so well with--he and Bill Baker did not work well together, for example. That was a problem. He and Bill Frazer, on the other hand, worked very well together, after kind of a rough start. Frazer was an academic--reflective, patient, analytical, embodied all of the academic values of the institution. Brady was hard-driving, practical, immediate, tough, decisive. You would think it would be hard for these two to work together; it was not hard for them to work together. Initially it was hard, but after a while, they both respected each other's abilities and they worked very well together.

Bill Frazer had academic affairs; Brady had administration and finance. Those two intersected all the time. For example, they intersected on academic personnel issues and retirement issues. Brady had the retirement plan, and Frazer had academic personnel. Well, on retirement issues, both parties are interested. They worked together, and they worked very well together.

So it's not fair to say that everyone had trouble working with Brady. It's not true. Some had trouble working with Brady; others did not.

Lage: And he may have offended some regents.

Gardner: He did.

Lage: [laughs] Or maybe all of them, I don't know.

Gardner: He did. No, not all of them.

Lage: Now, Bill Baker had difficulty in working with Brady?

Gardner: I think it was more personality than anything else.

Lage: Was it Brady's moving in on his territory?

Gardner: As Bill saw it, I think that's correct.

Lage: Because budget also, I would think, would be something Brady could contribute to.

Gardner: No, I really relied on Larry Hershman and Bill Baker on the budget, but it is also true that as to the budget itself, there are items within it that arose from decisions that need to be made in Brady's area, just as it's true that there are items in there that need to be included because of decisions Bill Frazer would make. The budget cuts across everybody's lines of authority, and so Larry Hershman, who was Bill Baker's top budget guy, was very skilled at doing that, very skilled. He was a bright guy too, and so he and Brady got along real well, and there were few turf problems there.

Baker felt that Brady was overly involved in the decisions that were being made or formulated for recommendation to Baker and to myself by Larry Hershman, so there were tensions there. And, for example, there would be legislation introduced in Sacramento bearing directly upon the university's purchasing policies, its contracting policies, its personnel policies, say with respect to staff, collective bargaining--all of that is in Ron Brady's area. So when this legislation would come up, Steve Arditti, our representative in Sacramento who reported to Baker, not to Brady, would be working with Brady on these issues. Just as Steve would be working with Bill Frazer on teaching loads or whatever. Brady was very effective, so he was called up to Sacramento--

Lage: To testify?

Gardner: --with increasing frequency to testify, and did so in ways that Baker himself might otherwise have testified in earlier years.

Lage: I see. Was Brady good at testifying?

Gardner: Brady was very good at it, and he was especially good at one-to-one with key legislators. For example, Willie Brown and he had a very special kind of relationship. Both brilliant guys in their own way, who got along.

Lage: So this reputation that he seems to have for arrogance didn't offend or come across in these one-to-ones?

Gardner: No. Because he knew what he was talking about. You know, a lot of people really are threatened by people who know what they're talking about, and they then would say, "Well, Brady's arrogant." Now, that's not to say that Brady was overly caring about how he undertook to communicate with people. So he might appear to be a little aloof or arrogant, but in terms of his effort to improve the conditions of employment and the compensation of university personnel, there's no one who was more committed to that and more effective at it than he.

He was also extremely effective with key players in Sacramento, especially with Willie Brown. When it came to issues that I probably couldn't have dealt with Willie on, he called Willie and we would get it done. Now, Bill Baker I don't think liked that, because that was his arena. But the fact is, Brady had a special relationship with Willie, and Baker didn't.

Lage: Why do you say you couldn't have gotten it done?

Gardner: I mean on issues about which I didn't know nearly as much as Brady or Willie.

Lage: That seems to be more and more important, to do well with Willie Brown.

Gardner: Yes. [laughter] Well, Willie's a smart guy, and if he knew I didn't really know what I was talking about, he would pick it up in a minute. I couldn't know everything. So Ron would call, and we would get the deal. Then he would advise Baker, you see. So we had kind of a tension going there, which--

Lage: And he had a higher position than Baker, as I understand it?

Gardner: Well, Baker thought so. I had two senior vice presidents: Ron Brady, who had all administration and finance, and Bill Frazer, who had all the academic programs. And then I had three more specialized vice presidents: one for health sciences, health affairs; one for the whole agricultural land-grant work of the university; and then Bill Baker for the budget, university relations, and all of that.

Lage: But the three vice presidents weren't under these other two?

Gardner: They were not under them, no. They were not under them. If you look at an organizational chart, they were not under them. All of them reported to me directly.

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Gardner: Ron was criticized, Jack Peltason was criticized, and I was criticized when Ron Brady retired and was granted a one-year paid leave. I had authorized this leave a couple of years before I retired and had informed Peltason about it when he was appointed president. So Jack is really quite free of any implications here. He was obliged to grant this leave. I had the authority to do it, and I did it.

Now, the same leave was granted to Mike Heyman, to Bill Frazer, and to others who left. No criticism there. So why was there criticism of Brady? Frazer left without all this controversy--

Lage: With the same job and pay--

Gardner: The same package, same salary, essentially. No criticism there, no criticism of Heyman. And some will say, "Well, they were faculty members," and my answer to that is, "So what? They had been serving in an administrative role, not as faculty members." That's my first comment.

My second comment was that in 1990, Frazer indicated to me that he really would prefer to step back from this position and pick up his professorship at Berkeley. I didn't blame him. He was tired, had a few health problems, and was anxious to get back to the faculty. At the time he was talking with me, Brady was under consideration for the baseball commissioner's job.

Lage: Oh.

Gardner: Yes. And was tempted, because he had been at UC for many years and was tempted. I couldn't afford to lose both of them at once. I'm trying to remember the exact timeline--I think both of these were occurring before I knew Libby was ill, so I think it was not for that reason that I made an effort to try and keep Brady, but later it became even more imperative that he stay. Frazer was stepping down, and then I knew I was going to step down, which I didn't know at the time this was occurring. I mean "this," my conversations with them in 1990.

It was clear that Bill Frazer really did want to step down, and it was also clear that Brady might in fact leave to accept this other position, which would have paid him about three or four times what he was making at UC. I persuaded Ron to stay, not only by pointing out that Frazer was going to leave and thus calling upon his loyalty, but also taking into account the kind of problems that I knew we were going to be confronting: budget

problems, tenth campus problems, lab problems, where I really relied on Ron, and so forth. It went right down the line. I said, "I frankly don't know who I'm going to get to replace you in the time I need to replace you for the problems that we have coming." I talked him into staying.

One of the agreements was that I would give him a year's leave, in writing, because whereas it had been customary to do it for vice presidents and chancellors, it had never been reduced to writing. And he asked me to do that, I forget when it was, about the time that I was having some personal problems, but anyway, it doesn't make any difference. I said, "Yes, sure, not a problem," so I did. Actually, I think it was after I knew I was stepping down. I think that's what happened. I had promised him, I said, "You have a year's leave," and so forth, but I didn't increase his salary, I didn't do anything like that to keep him. And then when I knew I was stepping down, I wanted to put it in the record, so I did. That's what happened, so I put it in the record.

Lage: Is that something customarily you would discuss with the Regents?

Gardner: No, not any more than I discussed Heyman's leave, or Bill Frazer's leave, or Chancellor [James H.] Meyer's leave, or anybody else who left.

Lage: So it's someone who's served a considerable length of time.

Gardner: I gave Chancellor Stevens a leave when he left Santa Cruz. I had the authority to do it, there wasn't any question of that, although it was not for a year as he had only been at Santa Cruz a short time. I even gave Chancellor Huttenback most of a year's leave. The only time it was questioned was with Brady, and those who questioned it were people on the board who had been unhappy with Ron for a long time. This was their opportunity to get back at him.

Lage: Who didn't like his personal style.

Gardner: Who didn't like him, didn't like that style. And, because it occurred also in the aftermath of the debate about my compensation, so all of this was--

Lage: So they were concerned with an image--

Gardner: Yes. It would have been criticized anyway.

So why did I give him a leave? Well, first of all, it was customary in American universities to give a leave to officers at

that level after an extended period of service. I had been giving leaves. The expectation was of all of the chancellors and vice presidents, that if they stepped down after a reasonable period of time, they would receive a paid leave. Brady had worked with me for nine and a half years, and he had worked with Saxon for two, two and a half, so almost twelve years in the place. He had earned six months of vacation in the course of that time that he never took. Never took and, therefore, forfeited.

Lage: He was a workhorse, it sounds like.

Gardner: He was a workhorse. He didn't like vacations, because he was always working. Or else he was conscientious to a fault. In any event, he had built up six months of vacation that he had lost over those twelve years with UC because you can only accumulate so many days, as you know, and beyond that, any vacation you've earned but didn't take, you lost. So he had lost six months of vacation because he had worked instead of taking his vacation. I thought, Well, that's half a year right there. So I never had any hesitancy about granting the leave which was within my authority to do. It was customary not only at UC but around the United States, and I felt doubly justified in doing it because of the six months of forfeited vacation that he had earned but never taken. I have no apologies for that decision whatsoever. It's a proper thing to have done, he earned it, and I'm glad he got it.

Lage: And did Peltason agree? He had to break the news.

Gardner: He had to break the news. I don't know if he agreed or not. I never talked to him about it.

Lage: Interesting. Well, that was another little footnote on this whole thing.

Gardner: Just a footnote, I wanted to put it in.

Lage: Yes.

Information Leaks from the President's Office

Lage: Okay. Anything else along those lines that you want to add, the personal dynamics and how it affected--

Gardner: Well, there was another problem, and that was that there was someone or persons within the president's office who were

systematically leaking information to the press and legislature. I do not know who they were.

Lage: What kind of information would this have been?

Gardner: Well, for example, I had an appointment with a legislator in Sacramento. I had a meeting in my office in the morning with a couple of vice presidents. I made a decision about eleven a.m.; my appointment with the legislator was at one-thirty in Sacramento. By the time I got to that legislator's office, the legislator knew of my decision that morning.

Lage: He knew what decision you had made?

Gardner: Yes. Or, I would have signed a letter to a senator in the morning, and I wanted to go up to Sacramento and explain the context of the letter personally before the senator would receive it in the mail. In this instance, the senator already had a faxed copy of my letter.

Lage: Did you have any idea what was going on?

Gardner: I knew what was going on; I just didn't know who was doing it.

Lage: Were these damaging kinds of things?

Gardner: Very damaging, because it would occur in an untimely way. For example, if I had had an opportunity to sit down with the senator before the senator had received that letter, his reaction to it would have been very different.

Lage: That's really undercutting you.

Gardner: It was deliberately undercutting me.

Lage: Were there particular issues that were involved?

Gardner: It was pretty random.

Lage: But you don't have a sense of what was happening, or you don't have--

Gardner: Well, it's hard for me to know, because I would only by happenstance know that something was going on. I wouldn't know everything that was going on. People wouldn't tell you.

Lage: They wouldn't always say, "I just received this fax."

Gardner: No, they wouldn't.

Lage: Good heavens.

Gardner: And that's still going on.

Lage: You mean it's still going on with the university?

Gardner: Yes, still going on. For example, Jack--

Lage: So you mean Peltason had to deal with it?

Gardner: Peltason had to deal with it. For example, when a private meeting between the chancellors and Peltason occurred, somebody-- it was a telephonic conference, and somebody was deliberately listening in, and then made a transcript of the conversation and gave it to certain legislators, and to the press.

Lage: And this has not been uncovered?

Gardner: Not to my knowledge.

Lage: That's something very difficult to deal with, I would think.

Gardner: Yes. We tried to deal with it. I tried to deal with it, without any success. I didn't know where it was coming from. I had my suspicions, but I couldn't prove them.

Lage: Well, this is a very unsavory way to end our discussion on the University of California! [laughter] We had a nice ending last time.

Gardner: We did.

Lage: Maybe we'll insert this in an earlier part. [this discussion was part of a supplementary interview recorded on October 1, 1996]

Gardner: Whatever.

The Final Speech, and Summing Up

Gardner: Let me say, you should get a copy of the remarks I made on the occasion of the last meeting of the Board of Regents I attended as president.

Lage: I have a copy. [See Appendix]

Gardner: It was in September, 1992. It reports how I felt about my service at the University of California, and particularly my

years of service as president, and in it, I take note of the enormous respect I have for the University of California and what it has accomplished, what it represents. I regard it as a noble institution engaged in work essential to our society. I think we do a superb job, on balance, of what we do. It's the crown jewel of the state, basically, and I say all this in that statement. That's how I really felt about it and still feel about it.

It is also true that the university has become more politicized, it has been demeaned by its critics unfairly, it has been used and abused, as I was, for purposes that are more personal than institutional in their focus and objective, that are petty, and we all know in our society that the press will report the negative, the petty, the prejudicial, and the personal more than they will report the substance or what is uplifting and constructive. When you think, or when one thinks, of the column inches given to the controversy attending my retirement, and the misstatements of fact, and the deliberate distortion in the reporting, the continuous quotations in the stories only from the critics--they would be called all the time, and only they were quoted--and the little press that's accorded the great accomplishments and achievements of the University of California even today, it's no wonder that the public is unhappy about institutions in our society, because this is how the media make their money. They are accountable to no one while making everyone accountable to them. That's my view of it.

Lage: You did an editorial about invective. This was before any of this came up.

Gardner: I did, before any of it came up. It was when Stanford was getting killed in connection with the overhead issue, and I wrote an op-ed piece for the *L.A. Times* where I pointed out that higher education is not perfect, we make our share of mistakes. Here are the problems we have, we're trying to deal with them. In some instances, we've dealt successfully; in others, we're still contending with them. And we shouldn't be above criticism. I say all that in the op-ed piece.

But I also said that there's too much pleasure being taken in the criticism of these institutions, and it's really hurtful.

Lage: People are taking out their personal frustrations.

Gardner: They are. I mean, it would have been easy for me, frankly, in the course of disputes surrounding my last six months of service to have publicly taken account of Ralph Nader's role and his motive--in fact, I was asked to do exactly that by one of the state's major newspapers. But I didn't.

Lage: Joined the fray.

Gardner: Yes. And of the fights within the board, and what was really happening, and why certain regents were resentful. Of what was driving a couple of the newspapers, or at least some of their reporters, and so forth. I could have done that. I chose not to do it. First of all, I was too tired to do it. Secondly, I didn't want to get down to that level, and I didn't, and I'm glad I didn't, because you wind up appearing to be about the same as those who are attacking you, and I didn't want to be in that group.

Lage: It doesn't work.

Gardner: It doesn't work, so I didn't do it, and I think that was a wise decision, even though I suffered because of it.

Lage: Well, we will put in the appendix those remarks you made to the board, because I think they sum things up nicely.

Gardner: Good. And then the letter that I wrote to Meredith Khachigian when I resigned. [See Appendix]

Lage: Is that also in the board minutes?

Gardner: Yes. It was reported verbatim in most of the newspapers, and it was reported in the University Bulletin as well.

Lage: Yes, we have it.

Gardner: You have it. That should go in so nobody can misunderstand my reasons for resigning.

1996 Report Card on the UC Campuses

Gardner: I recently read the report on the quality, reputation, and academic capability of the American research universities. This is a report overseen by the National Research Council, it involves a number of the nation's pre-eminent scholarly organizations and is regarded as the standard-bearer for all such reports.

Lage: More than *U.S. News and World Report*.

Gardner: [laughs] Yes, by some considerable degree, or any of the others, I might add. This is a superb report. It's comprehensive, the

methodology is sound, it's done once a decade. And I read an article about it that just came out in '96 [see Appendix]. It ranks Berkeley as the second most distinguished, comprehensive research university in the nation in terms of its overall quality.

Lage: After Harvard?

Gardner: After MIT, and then Harvard third. Berkeley's standing was not a surprise; one would expect that. But it also ranked San Diego tenth, and UCLA twelfth, and the other campuses also moved up significantly from their prior ratings as well. UCSF also received very high ranking, but of course is a more specialized place, having no undergraduates.

This prompted the authors of the report to devote an entire section of their report to the University of California, wherein they take note of the very dramatic increase in the standing of several campuses of the University of California over the period I served as president and the remarkable increase of the San Diego campus, especially being only twenty-five years old, and the high proportion of the top twenty to twenty-five universities in the entire nation that include campuses of the University of California. Because this is a list of public and private universities alike--

Lage: Merged in one list?

Gardner: Merged in one list, and most of the leading universities are private. And the publics that get in are dominated by the University of California's campuses. So they were commenting on this at some length, and I thought with considerable accuracy and insight.

I call this out because in my meetings around the University of California, there was sometimes expressed but mostly unexpressed apprehension on the part of faculty, at Berkeley particularly, but also at UCLA, that the attention I was giving to, say, San Diego, Irvine, San Francisco, and the other campuses, in terms of their academic initiatives and aspirations, were misplaced, and that I should be concentrating such initiatives, together with their accompanying resources, at the two already well-established campuses, viz, Berkeley and UCLA. I wasn't really challenged on it except by a handful of people, as I've already noted in connection with some of these initiatives, but there was this underlying feeling that any money that was going to the other campuses was necessarily going to diminish Berkeley and UCLA.

Well, this report puts that argument to rest, in my view.

Lage: Had UCLA been as high as twelve in the past?

Gardner: Pretty close to it, yes.

Lage: So they've maintained their position.

Gardner: Yes, they maintained their position. May even have improved it, I'm not sure. The point is that there is no inconsistency between sustaining and indeed even building on the excellence of the best known campuses while at the same time bringing the other campuses of this university into that orbit. There is no inconsistency there at all. It can be done and it has been done.

Lage: Even in times of budgetary constraint?

Gardner: Even in times of budgetary constraint. And there's a lot of negative talk about a tenth campus in the valley for this reason. Well, it's the same argument that was advanced by Berkeley when UCLA was created.

Lage: [laughs] Right. It's not a new argument.

Gardner: It's not a new argument.

Lage: And Clark Kerr faced it a great deal, I think.

Gardner: Yes, Clark Kerr faced it. All the presidents faced it. And I think anybody who believes that there is a finite capability and finite resources such that you cannot help the new campuses realize their long-range and inherent potential without hurting those enjoying greater distinction should read this report. I was convinced it could be done and convinced when I left that we had done it. But a disinterested third party confirmed it, and I wanted to call that out for purposes of--

Lage: Well, we'll include the article on that report in this oral history. [See Appendix]

Gardner: I hope you do because this report covers the period when I served as UC's president, and it is a vindication of our policies and practices that were the object of no small criticism while I was serving.

Lage: It must have been very gratifying.

Gardner: It was very gratifying, and it's a further affirmation of the wisdom of people over the years who have believed that the

University of California could grow with the state and still secure levels of quality and excellence that would be characteristic not just part of the institution but of the institution as a whole. People who argue that we can't do that are really ignorant of what's occurred, and I wanted to be on the record as calling out the fact that the most acknowledged and well-recognized disinterested report on these matters confirms what I had been arguing and what my predecessors had also asserted starting with Sproul and later carried on by Kerr and the others when the multicampus idea came into play--that these objectives can be accomplished while also sustaining, indeed, further improving Berkeley and UCLA's position nationally. So I wanted to mention that.

Lage: Well, that's a good wrap-up on the university.

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German Chancellor Helmut Kohl, with his interpreter, presenting a fly-fishing pole to President Gardner, September 1991.

Photographed by Peg Skorpinski



Five presidents of the University of California, April 1997 at Blake House. Left to right: Richard Atkinson, Jack Peltason, David Gardner, David Saxon, Clark Kerr.

Photographed by Jeanne Gardner



Above: Sheila Rodgers and David Gardner, Park City, Utah, 1995. Engagement photograph by Busath Photography.

Right: Matthew Rodgers, on Snake River fishing trip, Jackson Hole, Wyoming, 1995.





David and Sheila Gardner's wedding, December 27, 1995. Left to right: Matthew Rodgers, Karen, Lisa, David, Sheila, Shari, and Marci Gardner.
Photographed by Busath Photography

XV THE HEWLETT FOUNDATION, AND LIFE AFTER THE UNIVERSITY

Joining the Hewlett Foundation

- Lage: Now we're going to turn to your current position, not giving it as much attention perhaps as it deserves, but I think we mustn't neglect it.
- Gardner: I was approached by Roger Heyns after I had indicated my intention to step down from UC. I was also approached by a number of others--not foundations, but various organizations around the country, as I mentioned earlier. Roger thought that I would be just right to take his place as president of the Hewlett Foundation.
- Lage: And he must have been looking to retire.
- Gardner: He was. He was expecting to retire; he had already told Bill Hewlett he intended to retire. Well, I respected Roger a lot, and I thought, "If this is a job he enjoys, it might be one I would enjoy." I did not want to take the chief executive position in any organization that was large, complex, political, and as insistent as the one I was leaving.
- Lage: You didn't want an equivalent job to what you were leaving.
- Gardner: No, I had had it at that point. So I accepted Roger's invitation to come and visit with Bill Hewlett, which I did, and whom I liked very much.
- Lage: Did you know him before?
- Gardner: No. I had met him, but I did not know him. He had been at some Big Game parties and so forth, but I did not know him, and I liked him a lot. I really did. So that was good. But I then indicated to Roger that I didn't think I was ready to make a

decision, and if they had to go ahead and proceed with their search, they ought to do so, but I just wasn't prepared to commit. So I didn't, and they did proceed with their search.

As time went on--let's see, I forget when that was, but I think early '92--about a month later, the former president of the University of Illinois and head of the MacArthur Foundation was coming through, Jack Corberly, who was a friend of both Ron Brady's and mine.

Lage: Okay.

Gardner: He came by, and I had of course talked to Brady and one or two others about the Hewlett position, and what did they think, and so forth. Ron thought I should have accepted it, and so did virtually everyone else, but I wasn't quite ready to commit.

Jack came through, and he said, "What are you hesitating for? Let me tell you about these jobs. They're wonderful jobs. You're involved in good works, and the Hewlett Foundation is well respected. They're involved in population issues and environmental issues and so forth. It's a great learning experience for you, you're working with capable people, and you're doing good work. You must be crazy not to be pursuing this."

I thought about it and thought about it, and a little more time had passed at that point, so I reopened the conversation with Roger Heyns, and it didn't take long then to consummate the arrangement. And this happened just before the Regents' meeting in March of '92.

I guess it was just announced, I think one or two days before the Regents' meeting. I think that's what happened, because as I went into the Regents' meeting, Louis Freeberg, the higher education reporter for the *Chronicle*, who was about to do his share of making my life difficult, and whose reporting during the retirement controversy ought to be the object of critical examination rather than praise by his colleagues.

Lage: Oh, did they receive prizes?

Gardner: Yes, he and a reporter at the *Examiner*, prizes or whatever they are called. That told me a lot about the profession. He said, "What salary will you be making at the Hewlett Foundation?" I said, "That's for me to know and for you to wonder about. I'm not in public life any more." That's how I was feeling at the time.

But Roger Heyns and Bill Hewlett, I think, had a high degree of sophistication about the kinds of problems I was experiencing and attached almost no consequence to them, except a degree of sadness and irritation that I should be so dealt with; and they were very happy to have me come aboard. I said, "I don't finish up until October 1, and I'm going to have to have a break. I'll take the three months the Regents are offering, and I'll come to work January 1, '93."

Hewlett Foundation Composition and Mission

Gardner: Meanwhile, I did a lot of reading in the areas in which the Hewlett Foundation has an interest, such as a major role in family planning worldwide, population issues worldwide, environmental issues particularly in the Western United States. It's a pioneer in fostering and encouraging conflict resolution studies in the universities, dispute resolution issues domestically and internationally, we're a big player there; and in education, both at K-12 and the higher education level; in U.S.-Mexico relations on environmental matters, immigration issues, trade issues, and so forth; a whole range of community development in our Bay Area inner cities; a range of charities locally; it is the major supporter of the performing arts in the San Francisco Bay Area, and so forth. So there's a lot of variety and a lot of interest.

Lage: It also sounds like a big foundation, with this range of programs.

Gardner: It's about \$1.3 billion in assets, and we give away about \$45 to \$50 million a year. We have very competent program officers who are experts in their respective areas. They are colleagues, I work with them. My job is to try and anticipate other opportunities that the foundation might pursue, make sure our money is managed properly, make sure the program officers are doing their work, keep in touch with the forces for change that are blowing across the landscape so we can be on the cutting edge, in early rather than late, and in effect make sure that Mr. Hewlett's assets are deployed in the most optimal way possible. I have a small but very fine board, very supportive--

Lage: What is the nature of the board?

Gardner: Arjay Miller, who's the former president of Ford Motor Company and former dean of the Graduate School of Business at Stanford, was on it. He just retired. Jim Gaither, a former chairman of

the board of trustees at Stanford University and a prominent attorney in San Francisco. Bob Urburu who has just come off being a chairman and CEO of the Times Mirror Corporation in Los Angeles. Herant Katchetorian, who's a very well known and highly regarded professor at Stanford.

Lage: Sounds very Stanford-centered.

Gardner: It is very Stanford oriented, but not overly so, and I must say, it's very ecumenical of them to have me here, as it was with Roger Heyns. And some members of the family, both locally and on the East Coast. It's a small board, very fine group of people.

The President's Role

Lage: What is the board's role versus the program officers', or the president's?

Gardner: Well, it is my job--

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Gardner: --to recommend the grants for their consideration, and once a year, when they review the budget and our programs, to suggest modifications in our programs, new programs, dropping old ones, and so forth. They in effect make the final decision on the grantmaking, and they make the decision on the budget, and they make the decisions in terms of where the foundation is going to put its resources, which program areas, basically. That's what they do.

Lage: Is this kind of an open exchange of ideas?

Gardner: Oh, yes. Very collegial, very informal. On the grantmaking, they pretty much follow my advice. On the program areas, they have vigorous debate about it, for perfectly reasonable reasons they have reasoned debates. It's a different world than the one I've been in previously.

Lage: Is Mr. Hewlett himself actively involved?

Gardner: Yes, he was chairing the foundation up until a year ago, and his son Walter now is chairing it. Bill attends all the meetings, he participates. I see him twice a month, make sure he's kept in the loop.

Lage: Have you introduced new programs, new areas to the foundation?

Gardner: Yes. I expanded the population program and refocused it some. The environment program was international, but we didn't have enough money to run an international program, and I focused the program on what Wallace Stegner used to call "West of the 100th Meridian." If you draw a line down from Montana, Wyoming, Colorado, New Mexico, west, including western Canada, Alaska, and Hawaii, that's our focus now for the environmental program.

Lage: Just so that you can have more impact?

Gardner: Yes. It's an area that really needs attention and support, because of population growth and other pressures on a very fragile landscape. So we're focusing on the western United States.

Lage: How did you redirect the population program?

Gardner: We made it more international, in a way, and somewhat more leveraged. We partner with other groups. We have a new program officer who is very well connected, has been in the business all of his life. For example, the European countries contribute very little to population issues around the world, compared with the United States. So we're trying to get some private nonprofits in Europe up and running, to give them a voice and to encourage public and private participation in this effort. Also in Japan, New Zealand, and Australia. We support them, so that's a new effort.

Lage: I see. In Roger Heyns' oral history about this topic, he mentioned that you primarily support organizations rather than projects.

Gardner: Yes. I should have mentioned that, actually. Most foundations support projects. They start December 1 and end July 1, or they go for three years, or whatever it is. But it's a specific project that they can identify with, they can measure, and so forth. We do a little of that, but most of the grants of this foundation go to institutions for general operating support rather than to the other specific projects they sponsor. This is really Roger Heyns' invention: help institutions and strengthen them. General operating support is extremely hard for them to get, and to get it increases the amount of time they have to spend raising money and writing grant proposals and all of that.

We will identify and work with those nonprofit institutions and organizations here and abroad, that are doing the most

capable work and the most efficient and competent work in areas of interest to us. That's what we do.

Lage: But you don't support them from now to forever.

Gardner: No, no. Usually it runs out eight to twelve, even sometimes fifteen years.

Lage: I wonder if it's hard to regroup after that nice eight to twelve years.

Gardner: Of course, they know it's coming, so they have plenty of lead time. Then we'll make bridge grants at the end and phase it down for them slowly, but predictably.

Structure

Gardner: This is a very fine foundation. It's efficient. We only have sixteen full-time-equivalent people working here, and if you compare that with most other foundations, it's very modestly staffed. That's the way I want to keep it. I don't want to bureaucratize it. We're very informal around here. I've had all I want with bureaucracies. [laughter]

Lage: What is Marianne Pallotti's role? She was here under Roger also.

Gardner: Yes. She's a vice president of the foundation, she's responsible for all the support staff of the foundation. She's the corporate secretary, and she's my executive secretary.

Lage: She must have been helpful--or is helpful, but especially in the early days.

Gardner: Oh, very, extremely helpful, because she knows the history of all the issues, she knows the grantees, she knows how the system works, she's well acquainted with other foundations, and so forth.

So when I came here, it was a real adjustment.

Lage: In a nice way, it sounds like.

Gardner: In a nice way, but more of one than I had expected. I was so used to dealing in a certain arena that it was very hard for me to make the adjustment. A pleasant one, but nevertheless difficult. Marianne and the people here have been very good and

very helpful. Bill Hewlett has been terrific, and Roger was on our board until he passed away a couple of months ago.

Lage: It was hard to adjust to not having these high-pressured--

Gardner: Real hard. I went from being responsible for 155,000 employees at the University of California and 166,000 students to an institution that has sixteen employees. [laughs] That was really hard.

Lage: Yes. Another thing that was in the Roger Heyns oral history that struck me was that your program staff, or during his administration anyway, had sort of an exit--

Gardner: They're six-year contracts.

Lage: Is that something you've continued?

Gardner: Yes.

Lage: How does that work?

Gardner: They're in for six years, and they're out. [laughter]

Lage: How well does that work?

Gardner: [laughs] Well, Roger would occasionally extend someone for a year or two, and I've done the same, but generally we adhere to it. The idea back of it is to make sure that the grantors--and here the program officers are the key players--do not become so intertwined personally and institutionally with the grantees that their judgment is impaired. Second, every new program officer comes in with some new ideas, and changeover should happen periodically.

Lage: Is that unusual?

Gardner: No. The Mellon Foundation has five-year contracts, for example.

Lage: So that's not an unusual thing in foundations.

Gardner: No.

Lage: There must be a lot of circulating of staff among foundations.

Gardner: There is some, but not a lot, actually. It's an unusual business, as it were. This foundation will eventually be one of the top five or six in the country, when all of the assets pass

over. At the moment, it's in the top twenty, top fifteen or something.

Lage: Is that something you're helping prepare for, looking towards the future?

Gardner: Yes. And it will change things some.

Lage: Sounds fascinating.

Gardner: I'm enjoying it very, very much. The pace is more agreeable at this point, it's less insistent, less stressful. It's more of an academic environment, actually.

Lage: Than the academic environment!

Gardner: Than the academic environment! [laughter]

The Foundation and Governmental and International Involvement

Lage: Have the decreasing state and federal funds, state and federal support for various programs, affected how you go about your business?

Gardner: No, it has not, because we already spend all the money we can.

Lage: So you're not going to take up the slack, then.

Gardner: We can't spend more than we have, and we're spending all we have now.

Lage: Do you get involved with lobbying in Washington?

Gardner: Well, for example, I'm on the President's Committee for the Arts and Humanities, and we had a role in helping to preserve the National Endowment for the Arts and the National Endowment for the Humanities. I have some contacts there that I think helped. I serve on that. Yes, we have some legislative work, but not much. For example, AID [Agency for International Development] is going to be cutting its support for population work around the world, cutting it dramatically, under the current Congress with its priorities, and I've been working with our program officer and others in other foundations to see if we can't approach someone else, maybe the World Bank and others, to help pick up the slack and so forth. We do things like that.

I'm working with the Salzburg Seminar in Austria on a Hewlett/Salzburg Seminar initiative that would bring the rectors, vice chancellors, presidents of the major universities in the Eastern European countries, in the former republics of the Soviet Union, central Asia, and the Middle East into regular, systematic contact over a five-year period with their counterparts in Western Europe and the United States, to help restructure the higher education systems there to take account of the fact that they're freer than they ever have been, and they hardly know how to deal with it. The same is true of their ministers who are struggling to deal with it. We do things like that.

Lage: How do these ideas originate?

Gardner: One of my jobs is to keep track of what's going on and what our opportunities are. I have a lot of contacts, of course, all around the world, and I employ them. For example, Olin Robison, who is head of the Salzburg Seminar, was out asking for some general fund support for their American cultures program at the seminar. He's the former president of Middlebury College. We got to talking about some of the problems in the higher education community worldwide, and we focused on this new initiative, and now we're going to do it. He arranges it, and we pay for it.

The education program when I came was almost entirely higher education. It's now one-half K-12, and we focus on the Bay Area. Just this year--that is, 1995--Walter Annenberg and Bill Hewlett combined, each contributing \$25 million for a total of \$50 million, which then needs to be matched one-to-one from Bay Area sources, to mount a five-year effort to improve the public schools, and that was announced last year. That was an arrangement brokered by Vartan Gregorian, who's the president of Brown University, another good friend of mine. He is Mr. Annenberg's principal advisor, and I work with Mr. Hewlett. We accomplished that.

Lage: So when you say Bill Hewlett gave the money, was that actually the foundation that gave it?

Gardner: The foundation is giving \$10 [million] and Bill is giving \$15 [million] from his own resources. So these are the kinds of things I'm doing and enjoying.

Lage: Some of your interests from the past have resurfaced here.

Gardner: Oh, sure. And some new interests, completely new interests. So those are the kinds of things I'm involved in.

Lage: It sounds enviable.

Gardner: Yes.

Lage: Everyone loves you when you have money to give away.

Gardner: Roger Heyns said something funny about that. When I took the job, he said, "Dave, you're going to find everybody loves you." I said, "Well, that will be a switch." He said, "No, no, it's true, because the grantees are deeply appreciative of it and support you accordingly. Those who have been turned away are not mad, because they will come back at a later date and ask again." And I found this to be true.

That's just some indication of the kind of initiatives that we're able to take, the programs in which we're involved, and the satisfactions that one can derive from it. And I don't have to testify before legislators, I don't have to persuade governors, I don't have to harmonize the differences within the university's constituents, and the Regents, and so forth. It's nice to have an idea, work with competent people who are in a position to advise and help implement it, persuade a small board whose interests are to do the best they can for the work of the foundation, and then proceed. Very nice.

Lage: Wonderful.

Nonprofit Board Membership

Tanner Lectures on Human Values

Lage: I've listed here some of the boards from your résumé. Are there any of these that we should talk about that you have an active role in?

Gardner: Yes. The Tanner Lectures on Human Values was started when I was at the University of Utah. It was funded by Obert C. Tanner who was a former professor at the University of Utah and a former associate chaplain at Stanford and a Salt Lake City businessman. I mentioned this in my previous interviews. He's the one whose company makes the pins, service pins for five years of service, ten years of service, special awards, all around the world. Extremely generous person.

His concern was that technology was overpowering our capacity to comprehend its impact, and that human values were being subordinated to the more mechanistic ones in the world. He

funded a trust which I chaired while I was at the University of Utah for the purpose of sponsoring lectures at--then it was Utah, Michigan, Harvard, Stanford, Oxford, and Cambridge. It still includes those institutions, but the University of California is added, because when I came down from Utah, they added California; Yale and Princeton have also been added.

I continue to be a member of that trust. We meet once a year. Last year we met in Bellagio, Italy, which was very nice.

Lage: And you choose the--

Gardner: No, we don't. The choice of lecturer is left to the respective institutions, but the presidents of those institutions--Stanford, Utah, Michigan, Harvard, Yale, Princeton--and the heads of Brasenose College at Oxford and Clare Hall at Cambridge all attend, and a representative of the Tanner family, Chase Peterson, who succeeded me at Utah, and I. We review what's being done at each of the universities, and each learns from the others how to make the lectures more consequential, more effective, and so forth.

Lage: Would it be a lecture series given at each university?

Gardner: Ordinarily, it's more than one lecture, usually two. People who are scholars in the area of the subject of the lecturer's remarks are invited for a seminar with the visitor, including graduate students from the local campus who would profit from this. The lectures are published. In some instances, such at Cambridge, they have them there for at least two weeks. That's the way they do it. We also will designate one university a year for a single lecturer. They don't get it permanently. It's a floating lecturer, so we've had them at Queens University in Belfast, National Australian University in Canberra--oh, all over the world, basically.

These are now quite famous lectures, actually, and a very rich prize goes to the person who's chosen. I am continuing to serve as a trustee.

Lage: It sounds like a wonderful way to have an impact.

Gardner: Well, it is. You can have an impact, that's true.

J. Paul Getty Trust

Gardner: I'm also a member of the board of directors of the J. Paul Getty Trust in Los Angeles. Bob Urburu chairs that. By the way, he's also on the Hewlett board. Harold Williams, a former UC regent and who was very supportive of my situation throughout the compensation and retirement controversy, in fact was about the only regent willing to write about it. He wrote an op-ed piece, a complete exposition of what had occurred, because he was chairman of the finance committee. He's former dean of the UCLA business school, former president of Norton Simon, Inc., former head of the Securities and Exchange Commission under Carter, and for the last fourteen, fifteen years, has been president of the Getty Trust.

Lage: I'm glad we mentioned him, because we didn't get him specifically earlier.

Gardner: Yes, I should have mentioned him. He was an appointee of Governor Brown's on the board, and was an excellent regent, very well respected, and was a tremendous help to me, I might add. He was a regent who was willing to come out and speak.

Lage: Did you join this trust after you left the university?

Gardner: Yes, after I left the university. That very fall, I joined. This is all pro bono work, of course. I enjoy it. We meet quarterly. They are a big player in the art world internationally. It's my eyes and ears as to what's going on in that area.

Lage: So it kind of meshes with your work at the Hewlett Foundation.

Gardner: Oh, it all complements it. The Tanner Lectures keep me in touch with the presidents of the leading institutions in the country. For example, when Don Kennedy left Stanford, I didn't know President [Gerhard] Casper of Stanford, but because of the Tanner Lectures, I know him now. And the same thing is true at Michigan, Princeton, Harvard, Yale, Oxford, Cambridge and other places. It keeps those contacts up.

The Getty Trust is my eyes and ears to what's going on in the art world internationally, and they're building a fantastic campus down in Los Angeles, up in the Santa Monica mountains, just off Sunset Boulevard.

Lage: An actual campus, or a museum?

Gardner: Well, the museum is part of it. It will house all their programs. It's much more than a museum. They're involved in conserving of some of the world's great treasures. For example, they're working with the Chinese government to preserve the Buddhas in caves along the old Silk Road in China. They're helping to restore the old colonial center in Quito, Ecuador. They restored the Queen Nefertari tomb in Egypt. And so forth. They're doing this all over the world. Their program in art education is the best in the country, and in fact, the Hewlett Foundation is hoping to link up with the Getty Trust to advance the interests of art education in the San Francisco Bay Area as part of the Hewlett-Annenberg initiative here, so we hope to team up there and do what we can.

The Getty Trust is involved in a whole array of programs, of which the museum is the best known but certainly not the only one. The campus now under construction there will be a world class facility and a destination point for scholars worldwide. It's a \$900 million facility. I told the trustees, "A few years ago, I could have built three campuses of the University of California for that." [laughter]

George and Dolores Eccles Foundation

Gardner: Then I'm involved with the George and Dolores Eccles Foundation in Salt Lake City. Have been since 1981. This is a local foundation with roughly \$400 million in assets. We give locally; 98 percent of the money is given in Utah, so it's easy to do. We know all the people, we know the organizations, we know the institutions, we know who's doing what.

Lage: Is that a project-oriented or an institutional foundation?

Gardner: It's both. It's a mix, we do both. But it's mostly project-oriented. Not always. For example, the support for the homeless shelter is institutional support. We support what they're doing; we just give them money for it. At the University of Utah, we don't just give them money; it's project oriented. And so forth. We disburse almost \$20 million a year; and I enjoy the work. There are only three trustees.

Huntsman Cancer Research Institute

Gardner: The Huntsman Cancer Research Institute in Salt Lake--Jon Huntsman is a close personal friend of mine, a former neighbor. He and his family created this research institute and contributed \$100 million to it.

Lage: Is it connected with the University of Utah?

Gardner: It is; it is part of the University of Utah. And the Eccles Foundation has been helping to support the Eccles Institute for Human Genetics at the University of Utah, so this ties in. This is a very innovative and exciting project, and we expect that some wonderful things will come out of it.

Hong Kong University of Science and Technology

Gardner: Since 1987, I have been working with the Hong Kong University of Science and Technology. It's the third university in Hong Kong: University of Hong Kong; Chinese University of Hong Kong which Clark Kerr helped form years ago; and the new Hong Kong University of Science and Technology. And by help, I mean I helped plan it, helped build it.

Lage: You mentioned how fast it was built.

Gardner: Yes, that's right. So that's great fun. I'll be going off their board next year, but it's been a pleasurable involvement for me.

Nature Conservancy

Gardner: And finally, I'm on the board of governors of the Nature Conservancy, for almost two years now.

Lage: I thought you had been involved longer than that.

Gardner: Well, I've been involved in the Great Basin work of the Conservancy, but this is national. I think there's only three or four people from the entire western United States. They're more eastern-oriented. This is a very fine organization, concerned with conserving ecosystems, threatened wildlife, special lands,

wetlands, river systems, old-growth forests, and so forth. We meet quarterly. I help them with some of their policy issues.

This is again an extension, in a way, of Hewlett's environmental interest, because I keep track of what's going on nationally that way. It helps inform me when I talk with our environmental program officer. The Conservancy does receive grants from us, but we also use the Conservancy to accomplish some of our other purposes.

Lage: Would you give grants to the national Conservancy?

Gardner: Yes. For example, our grants have been to the California and the Utah Conservancy, and I think a little in Montana, Oregon, and Wyoming. We don't give to the national; it's regional. By and large, they prefer that it be given regionally, because people can identify with it and they know what's happening.

Lage: Okay.

Corporate Board Membership

Gardner: I'm also on three corporate boards, which I enjoy.

Lage: What are they?

Gardner: First Security Corporation in Salt Lake; I've been on that ever since I was at University of Utah. It's a bank holding company. The Fluor Corporation in Irvine, California, which is a superb company, an international engineering and construction company. They're all over the world. And a financial holding company in Miami.

Lage: How do those boards differ from the boards of these good-works institutions?

Gardner: Well, all the others are all nonprofits, and my work there is all pro bono work. The last three--the First Security, the Fluor, and the John Alden Financial Corp. in Miami--are all for-profits, and it's completely different, because they are businesses. I enjoy it, because it's a nice change for me. It's also true that in my work, it's been very useful for me to have the business perspective, as well as all the other perspectives with which I've come into contact. This keeps me alert to what's going on.

For example, Fluor Corporation is all over the world. They build refineries, freeways, mines, airports, pharmaceutical plants, automobile manufacturing plants, pipelines--you know, they're all over the place. And half their business is abroad. Every meeting of the board, there's a run-down on what's going on in Southeast Asia, or Malaysia in particular, what's happening in East Asia, and what's happening in India, what's going on in the Middle East, in Western Europe, in the former Soviet Republic, because they're in all these places. Down in Latin America and in South Africa. And that's very useful.

When I was president of the University of California I was also a member of that board. UC received some very nice gifts from Fluor as a result.

Lage: What do they expect from you as a board member?

Gardner: Well, of course, my job is to keep track of what's going on too, and I bring a certain perspective to the discussions. I'm also an educator. They're all businessmen. I was pointing out the problem they're going to have in about ten years recruiting capable people for their engineering work, and why, and that they ought to be developing some scholarship programs and fellowship programs, internships, to attract into the company the kind of talent they're going to need for their expanding business, engineering talent and scientific talent. So they've been doing that, and not just in this country but abroad as well, in India and in Hong Kong and Manila and so forth. I'm able to help them with that kind of thing.

Lage: Yes. It's interesting that they want diverse people on the board, from different backgrounds, not just business.

Gardner: That's right. And I have turned down invitations to serve on maybe ten other corporate boards of very well-known companies.

Lage: Why?

Gardner: I didn't have time. I could get the time by eliminating all of my work with the Nature Conservancy and the Getty Trust and these various foundations, and the universities, but I enjoy them. It's a nice balance.

Lage: Being on the board, and previously managing a board, does this give you insight or--

Gardner: Oh, yes, absolutely. I should say so.

Lage: Are they run in a similar manner, or does each have its own personality?

Gardner: Well, these are all private. You don't have half the world's press sitting there listening to every word. It's not the same as at the University of California.

Family

Daughters

Lage: Let's go to your family.

Gardner: Yes. All of my daughters are now married, and remarkably enough, I really do like my sons-in-law.

Lage: That's very happy.

Gardner: Yes, that's happy news. It isn't always inevitable, but in these instances, they did really well. They're all happy. I have one in Salt Lake City, my oldest is there, Karen, a Stanford graduate, I add with some bemusement. Her master's degree is from Queen's College, Cambridge. My second lives in Pleasant Hill, California, Shari. She's a University of Utah graduate, with a master's from UCLA. And my third lives in Seattle, Lisa. She graduated from UC Davis and took her M.B.A. at the University of Washington. And my last daughter, Marci, is in San Francisco. Marci, a graduate of Berkeley, is attending Hastings College of the Law, in her last year of law school. Lisa is working for the University of Washington.

Lage: Is she going into higher education?

Gardner: I don't know exactly what she'll do in the long run. She's enjoying what she's doing now, which is working with the international student program in the business school there, so she enjoys that. My second daughter, Shari, has two children. She was a schoolteacher for several years, and she's now home fully occupied with two children under the age of three. And my oldest daughter, Karen in Salt Lake, is also home with two children under the age of two, so she's busy. But they're all happy, and the young men they're married to are great--

Lage: So you have four grandchildren.

Gardner: I have four grandchildren. We see one another quite a bit. In the Bay Area, I see the daughters here for lunch or dinner whenever possible, but mostly at Park City, Utah.

Lage: Which is your actual residence.

Gardner: Park City. I go back and forth between the Bay Area and Park City. For example, I was up the weekend before last--well, let me put it this way: they were all there for Christmas, they all have been up again, but with their respective husbands, some with friends, to use the home on long weekends, January and February. We get up there for the long holidays, and then in the summer, we go up to Montana. I see them a lot, and it's very nice.

Lage: It's nice to have a place like that.

Gardner: It's very nice. And they feel comfortable, they can go there, they know about it. It's the family home in that sense.

Marriage to Sheila Rodgers

Lage: Now, you must tell us about your recent remarriage, or as much as you want to. [laughter] I don't want to pry into your private life.

Gardner: Right. Well, I have recently remarried, and to a wonderful, loving woman. We were married on December 27, 1995. We had met in September of 1991 and had dated seriously from late 1992 on. We met on a flight from Washington, D.C., to San Francisco. She was working the flight as a senior flight attendant for United Air Lines. She caught my eye, and we struck up a conversation. I liked her instantly. Just before landing, I thought to myself, If I don't get her phone number, we'll never see one another again. So I asked for it. She declined, saying that she did not give her number out but had enjoyed our visit.

My response was that I could hardly blame her, given the number of strange people around, and I understood. I returned to my seat wondering how I had even had the courage in the first place to ask and that I had made a fool of myself.

As I was leaving the plane, she handed me a napkin with her number on it, indicating that her galley-mate had said she would give me Sheila's number if Sheila didn't. It took me five weeks to work up the courage to call her for a first date.

I want also to add that she was of incredible help to me during my last six months at UC, indeed, even before. She was always there encouraging and supporting me during this difficult time, always willing to listen and help me think through the issues I was confronting.

We enjoyed our time together immensely, even though between her flying all over the world and my travel schedule we saw one another less often than either would have wished. Our relationship evolved without pressure on either side as we were each recovering from two of life's great traumas, Libby's death for me and a divorce for her. We found ourselves growing more and more together with time and when we were ready, we decided to marry.

We were married Christmastime at our home in Park City, Utah, in the living room, just a family function. We had a very nice open house after for all of our friends there, and then we had a very nice open house here in California at my brother's home in San Mateo for our friends here in California, or at least some of them, as many as we could accommodate.

Her name was Sheila Sprague Rodgers, now Sheila Sprague Gardner.

##

Lage: So your travels paid off.

Gardner: Paid off handsomely. She gave me a t-shirt that said, "Marry me, fly free." [laughter] We dated for about three plus years, and our marriage was a natural extension of our developing relationship, which is what it should be. She has a twelve-year-old son--

Lage: Oh, so this is a new life for you.

Gardner: Having raised no sons, this is a new challenge for me, an adventure may be the best way of putting it.

Lage: And you're getting him right at that age.

Gardner: Getting him right at that age, but it's not as though I'm inexperienced, so we're going to come along fine.

Lage: What is his name?

Gardner: Matthew.

Sheila bought a small home in San Mateo because she's still flying, although she's going to cut back some, and she's based out of San Francisco, so she goes all over the world. Her son is in school here in San Mateo, so it's an easy commute for me down to Menlo Park. I'm not exactly sure how life will develop, but we take it one day at a time. We don't worry about the future very much.

Lage: Well, this is a definitely new direction.

Gardner: Yes, and it's wonderful. I'm very happy at this point; I haven't been as happy in a long time. I feel in a way that--it may sound funny, but life is beginning again, in many respects, and that's a good feeling. All the daughters and their husbands were at our wedding, and they like Sheila very much, so that helps.

Lage: Oh, that's good. Sometimes that can be a problem.

Gardner: It can be a problem. I think if I had gotten married, say, one or two years after Libby's passing, it would have been a problem regardless of whom I married. I wasn't ready, in any event. I wasn't ready until I actually got married. I just wasn't. I know some people are. Some people get married six months after their wife or husband passes away, or nine months, or a year. I wasn't ready, and was not until late '95, basically.

We got engaged on the beach at Mauna Kea in Hawaii on Sheila's birthday in September 1995. Very romantic! Sheila had a trip to Kona, and I had had reservations to go with her to Kona the month before and had to cancel. So this time I thought, I'm going to take this trip to Kona with her. It was just overnight, we went Sunday morning and came back Monday night.

Lage: It wasn't for the Keck Telescope.

Gardner: It was not for the Keck Telescope. Mauna Kea was closed for repairs but their beach was open. So we went up, enjoyed the sun, and I waited until the sunset to propose. Every advantage that I could get, I was taking. [laughter]

Lage: I'm sure you didn't need it.

Gardner: And she accepted, and within three months we got married, so that was great.

Lage: That's good.

Gardner: We're very happy. She brings her solid, steady midwestern values to the marriage (she's a native of Ohio and a graduate of

Ohio State University) and is very adaptable, perhaps a function of her flight attendant work as well as her native disposition. We have the same interests and hopes, and we are very happily married, sharing our new life together and our many friends here in the Bay Area and in Utah, indeed with people who have touched and benefitted our lives wherever they may be living.

Lage: Well, that is a nice note to end our oral history on.

Gardner: It is a nice note.

The Future

Gardner: And then your last question deals with my future plans. Well, unlike most of my life, where I was always taking account of the long run when I made short-term decisions, I'm not doing that any more.

Lage: Is that maturity, or all you've been through?

Gardner: Well, it's a bit of both, and I'm also sixty-two years old now, and I don't have to worry about the future quite as much as I did before. Sheila is a more spontaneous kind of individual than I am, and that's good for me, because Libby and I were always obliged to be organized, we were obliged to be booked ahead six to nine months. That is not true any longer. And so I'm not, and it's very pleasant.

Lage: It's an adjustment too, I would think.

Gardner: It's an adjustment, yes. Say Thursday night, Sheila will say, "Let's go to Napa this weekend," so we go. Or if I say, "It's Friday morning, you're not flying this weekend, we're going up to Park City and going to ski." That's kind of what we're doing now. I was never able to do that, and it's great.

Lage: Well, your job didn't allow it.

Gardner: My job didn't allow it, and the family circumstances did not allow it. She likes to travel, and so do I. So this spring, for example, we're going on our honeymoon to Hawaii in February. We'll be at the Mauna Kea on the Big Island and at Manele Bay on Lanai. Then I have to be in Hong Kong for my last meeting with the university there in early April for a week. We'll be going there. Might stay the weekend, go to Macau or up to Guangzhou (Canton) or something. And then I have to be in Budapest in

early April. I'm helping the Hungarian government restructure their higher education system, so I have to be there for that, and she will be with me for that trip.

Lage: Is this an outgrowth of the Salzburg Seminar?

Gardner: No, it preceded the Salzburg, but we're going to stop by Salzburg on the way home. The South African government has a commission, the purpose of which is to recommend fundamental changes in the structure and arrangements of the South African higher education system. Their commission has now prepared its final report. Before they submit it, they wanted to consult with a handful of people around the world to get their advice, so I've been asked to stop by Salzburg on the way home and do that. The Tanner Lectures are meeting at Yale University this year. Those kinds of things are going on, and it's very nice. And Sheila will be joining me for most of these trips.

Lage: They do kind of structure your travels.

Gardner: That's the only thing I'm structuring. With my work here at Hewlett, I'm able to plan more freely than before. For example, if I am scheduled to meet with a program officer at two in the afternoon, and I need to change the time to meet with that program officer at nine in the morning, I can arrange it. Whereas if I had an appointment at UC at two, somebody will have come from San Diego or some other place for it. Here, I can make the last-minute adjustments as circumstances suggest.

Lage: It sounds very nice, and as if the future has a lot to hold for you.

Gardner: Well, I think so. I have a pretty good attitude about things at this point. One does learn from difficulties. I have much more understanding of and empathy for people who are ill or whose spouses die or where there is divorce. I understand what it signifies, whereas I only thought I understood it before. I appreciate discretionary time more than I did before. I am renewed again in terms of the importance of family in my life, although my daughters were terrific, were and have been. I much prefer to be married than to be single, having experienced both, but it's not something you can just wish. Anyway, it has worked out for Sheila and me. I'm very lucky.

I think I have more appreciation than I did before for the fact that the world, while taking account of the University of California, also takes account of other things as well, I'll put it that way. I have a better sense of who my friends are today

than I did before. And I am blessed to have a very wide circle of wonderful friends, almost anywhere I go.

It's also fun to make new acquaintances. I can't go to an international airport anywhere in the world without somebody coming up and saying, "Aren't you President Gardner?" And I find they were at the University of Utah or the University of California.

Grandchildren are coming; I enjoy that. I tend to like them when they're a little older more than when they're babies. I can't have much of a conversation with them when they're babies. I can as they grow up. And so life is very good for me. My health is better than it's been in a long time, because I have time to look after myself now, which I do. Sheila sees to it.

Lage: And you're probably sleeping more than three hours a night.

Gardner: Yes, I am. Frankly, I do not really know how I lived through those two to three years following Libby's illness and death. I really don't. Because I was getting no sleep, I was under tremendous stress, I was under public pressure--

Lage: And your personal depression--

Gardner: And my personal tragedy with Libby's passing, I don't know how I managed. I don't think I slept more than three and a half hours a night for two years or more, as I said. I'm a person that requires seven and a half hours pretty regularly. I am now back sleepwise to where I need to be, but it's taken five years.

Lage: There's a lot to be learned from all of this.

Gardner: I think there's a lot to be learned, so you know, life--. Libby and I and our family had lived a charmed existence. I mean, we really had, as I think I mentioned early on in our interview. And I don't think anyone gets out of this life having lived only a charmed existence. You don't know how it's going to hit you, but it will, one way or another.

Lage: And your early days at the university were a charmed existence.

Gardner: They were, in spite of the problems we had. In spite of the problems we had. And yet, when it hit me, it really hit with a double barrel. I've now lived through that, and I think I'm stronger as a result. I am not quite the same person as I was before. You mature and you learn. You can get hit tomorrow. So I'm living more for today than I did earlier. I am also more aware of how cruel and petty people can be. It was

disillusioning to realize it, especially when you are the object of such cruelty and pettiness; but I have it all in reasonable perspective now.

In any event, life looks good for me, and I'm real happy to be alive.

Lage: That's wonderful. I think we've gotten a great recording here.

Gardner: I hope so, and I also think that the University of California is one of the great successes of our culture and society. I think it will continue to be, in spite of the problems it confronts. It has tremendous staying power. It is a remarkably resilient institution. There are people in it who are very loyal to the place, and great talent is possessed by this institution. I don't think the world has seen anything quite like it. I continue to respect it.

But I'm also not completely able to strip away some of the problems that I had. Maybe I will over time; I'll probably be better off if I do. But I'm not pushing it. It will just happen.

Lage: That's right. It takes time.

Gardner: Yes. You've been a very good interviewer. I appreciate it very, very much.

Lage: Thank you very much, I've enjoyed it tremendously.

Gardner: A great pleasure for me. You're a fine, informed, and experienced interviewer. I couldn't ask for more.

A Personal Reflection¹

Gardner: Having reflected upon my life and my life's work in such detail and over such an extended period for this oral history, I have come to wonder which, of all my experiences, am I most likely to recall during the quiet moments when thinking and feeling coalesce to illuminate one's deepest sense of self. For me, they are:

¹This reflection was written by David Gardner in April 1997 after he completed his review of the oral history transcript.

- The simple and homey recollections of childhood in Berkeley, a loving home, my grandparents and parents, siblings, aunts, uncles, and sixty-five first cousins;
- The Berkeley public schools and life-long friends with whom the pleasures and suffering of life have been shared in memorable abundance;
- The practicing of the piano at dawn and of the pipe organ in the early morning quiet and barely lighted church before walking to junior high and, later, high school in Berkeley;
- The elegance and grace of classical ballet, the power of the pipe organ in the great cathedrals of Europe and King's College Chapel, Cambridge, the stirring sounds of a full symphony, and the intimate sounds of a chamber quartet in the quiet of home, and the memorable and enduring sounds of the Mormon Tabernacle Choir in Christmas Concert, at home, in Salt Lake City;
- The bells of the Campanile at Berkeley, in concert, at the close of a Saturday afternoon football game in Memorial Stadium and the lights on the great "U" above the University of Utah campus lit for a game and then blinking in victory or steady in defeat;
- The working of the fields in the western Utah desert, of swimming in the nearby irrigation ditches at mid-day when the desert heat is highest, and of the perfume of the sage following a summer burst of thunder and rain;
- The driving of cattle over the Milk River ridge just north of Montana, the herding of sheep up Spanish Fork Canyon in central Utah, and the interplay of sky, mountains, forests, plains, and rivers in these remote but beautiful places;
- The mountains, the high Sierra and the Rockies with the great falls of Yosemite and of the Yellowstone, and their turbulent rivers and fast-moving streams and placid Alpine lakes and of knowing where the trout lurk and the feel of the line when they strike the fly cast at the moment and place when the taking is irresistible;
- The early dawn and late sunset over the Golden Gate and San Francisco Bay, of moonlight across the waters of the Flathead in northwest Montana as the moon rises over the Mission range, and of the beauty of Echo Lake, high above Lake Tahoe, as the morning wind from Desolation Valley ripples its way across the deep blue, cold waters;

- The Yellow Sea, mysterious with both its dangers and luminescent beauty, intermingled;
- The first snow of winter, beautiful in its blanketing, and the freshness of spring's first rain;
- The wind as it moves through mountain forests, across the plains of southern Alberta, and over mountain lakes rippling the water just enough so that an imperfect cast remains undetected;
- The surf pounding the Hawaiian beaches or, more quietly, those in southern California or more languidly in the Bahamas and the remoter islands and coves of the Pacific;
- The days of school and college and of dating and athletics and learning;
- The love that leads to marriage and children and home, which sustains all else, enduringly;
- The church and the values it imbues helping to center one's life and frame it with meaning and significance, a counterweight to the more popular, synthetic, worldly, and transitory pursuits of everyday life;
- The moving language of a Stegner, Hemingway, Frost or Thoreau, the art and architecture of Europe's great masters, the exquisite elegance of a Japanese garden and tea ceremony, Persian miniatures, African stone carvings, Japanese woodblocks, the smell of old books--the myriad of ways people throughout the world seek, through art and literature, to express their sense of the world and themselves;
- The cultures, indeed civilizations, visited but barely apprehended in Russia, Iran, the Holy Land, North Africa, Europe, Asia, Australia, Canada, Mexico and other distant places: memorable, enriching, broadening;
- The friends and colleagues with whom I labored in behalf of a noble cause whose lives intersected with such force and effect as we sought to advance the cause of learning in our world;
- The colleges of Oxford and Cambridge and their newer, vibrant cousins in America;

- The kindnesses, unexpected but timely, extended during periods of despair and illness; and

- The love of two good and wonderful women, children and the coming of grandchildren, and the meaning of family and its centrality to life.

My recollections are, in short, more of the essence of life than its trappings. They are more of the subtler sensibilities of private life and of family and friends than of appearances, position, and power. They are what makes life worthwhile and worth remembering. They are the enduring experiences fashioned over a lifetime: seasoned, valued, trusted and nurtured. All else is fleeting, lost in the striving and scramble for standing, fame and advantage, unmemorable and unfulfilling.

I have been fortunate beyond telling.

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Robert Gordon Sproul Associates

CALIFORNIA ALUMNI FOUNDATION
UNIVERSITY OF CALIFORNIA
BERKELEY, CALIFORNIA



THE GIFT OF HIS EXAMPLE

“LONG AGO, I dedicated my life to the University. . . .”

With these words, in 1929, Robert Gordon Sproul began a letter accepting election by the Regents as President of the University of California. At the time, he had already devoted nearly twenty years of his life to the University, as student, cashier, assistant secretary and controller, secretary and controller and vice-president. He was to spend 28 additional years as President, and continues to serve the University in many capacities as President-Emeritus.

By every meaning of the word “stature” he has been a match for the great University that has benefited so manifestly by his service. Not the least of his lasting gifts has been his example to alumni of a proud love of Alma Mater, of learning, and of educated men and women as the best hope of a free society.

In the same spirit of devotion, a group of Berkeley alumni who have attained a capacity for substantial assistance to the University of California are forming the Robert Gordon Sproul Associates.

THE WORK OF THE ASSOCIATES

Robert Gordon Sproul Associates view the endeavors of the University of California as indispensable to the properly fulfilled destiny of the State of California. They appreciate the value of trained minds in decision making positions that affect California's economic strength and social progress. They understand the importance of the new knowledge born of research that finds its way from the Berkeley campus into California industry and commerce and strengthens California's institutions. Because it has been a factor in their own success and achievements, they are also aware of the meaning of the work of the University in the future lives of present and coming generations of students.

Because much of the University of California's pre-eminence was made possible by a nearly 100-year-old tradition of support from private citizens, and because many University endeavors can not be supported with public funds, the Robert Gordon Sproul Associates recognize the continuing need and validity for their individual support for the Berkeley campus. Such support is essential to:

Broaden the financial base of student assistance in the form of scholarships, loan funds and fellowships so that growing numbers of able, deserving, but financially necessitous young men and women need not be deprived of opportunities for a University of California education.

Enrich the cultural resources of the Berkeley campus, for it needs not only laboratories and classrooms, but also collections of great literature, documents, art and museum materials for teaching and research.

Encourage creative research, particularly in the form of funds with which to support young faculty members and graduate students in launching their research programs. Such assistance is especially needed in the humanities and social sciences. Surprisingly small amounts of only several hundred dollars often suffice to help get new, worthwhile projects underway. But there are many requests for such assistance and only money from private sources can be used to provide it.

Bring to the campus distinguished authorities who can share their knowledge and ideas with members of the student body.

Provide for other unanticipated needs that are faced each year on the campus. Unrestricted funds are needed by the Chancellor if he is to meet promptly the need for special expenditures to enhance the campus or improve the quality of teaching and research. Since such items often do not qualify for support from public sources, private assistance is decisive in providing them.

The Robert Gordon Sproul Associates directly alleviate these needs with their contributions. Indirectly, their support provides example and leadership that broadens the base of support throughout the alumni family.

MEMBERSHIP

Alumni and friends of the University joining the Robert Gordon Sproul Associates during 1964 will be considered charter members. Membership is by annual invitation. Application for membership must be accompanied by a gift or pledge of \$1,000 or more. That portion of any annual gift in excess of \$1,000 may be applied by the member as a credit toward membership in succeeding years. A cumulative gift of \$10,000 qualifies the donor for membership in perpetuity without further solicitation, although continued support from "life" members is, of course, welcome. Both restricted and unrestricted gifts are accepted for purposes of membership.

Membership gifts are deductible for income tax purposes. Gifts may be paid in any way convenient to the member at any time prior to December 31, 1964. Gifts should be made payable to the Robert Gordon Sproul Associates-California Alumni Foundation.

Members will not be asked for further gifts by the California Alumni Foundation.

Members may prefer to make their gifts in the form of securities. Full credit for the market value at the time

of the gift may be taken by the donor for tax purposes as such capital gains are not subject to income tax. Securities may be sent by covering letter for account of "Robert Gordon Sproul Associates," directly to Mr. Ralph Edwards, Chairman, California Alumni House, Berkeley 4, California.

Inquiries may be directed to David P. Gardner, director of the California Alumni Foundation, Alumni House, Berkeley 4, California.

MEETINGS

There will be an annual dinner meeting of the Robert Gordon Sproul Associates. It will be attended by officials and faculty members of the University of California as special guests.

APPLICATION

For your convenience, an application for membership is enclosed with your invitation. The Robert Gordon Sproul Associates will welcome your charter membership.

STEERING COMMITTEE

Robert Gordon Sproul Associates

The following University of California alumni are members of Robert Gordon Sproul Associates and have been designated by the chairman as members of the steering committee:

	<i>Class</i>		<i>Class</i>
JAMES B. BLACK	'12	JOHN R. MAGE	'21
FAIRFAX M. CONE	'25	WAYNE J. PEACOCK	'21
RALPH L. EDWARDS	'35	RUDOLPH A. PETERSON	'25
WALTER A. HAAS, SR.	'10	HERMAN PHLEGER	'12
GERALD H. HAGAR	'20	EDWARD J. POWER	'15
DANIEL E. KOSHLAND	'13	N. CONNOR TEMPLETON	'25
MARSHALL P. MADISON	'17	DEAN WITTER	'09



The Appearance of
University of California President David Gardner
Before the Assembly Ways and Means Subcommittee on Education
Concerning the Issue of the University's Investments
in Companies Doing Business in South Africa

May 14, 1985

"The hearing room filled gradually, as one committee dissolved into another and the serious order of business drew near. Assembly Speaker Willie Brown, Jr., had darted in and out of the subcommittee meeting, and while in the room padded about like a cat in a cage. University President Gardner sat impassively for ten minutes amidst this, as one committee reconstituted itself into another. Finally, the horse-shoe table was full of legislators--the Speaker at its front in a luminous, tan, Wilkes/Bashford suit.

Gardner began by explaining the University's process for considering the South Africa issue--the history of UC's attention to it, the January 1985 resolution directing a Treasurer's report, his plans for a discussion on the coming Friday among Regents at the Lawrence Hall of Science, and the final consideration of the proposals at the June meeting after publication of the Treasurer's report.

A dramatic pause followed his initial remarks. Everyone knew that no one would speak--not even the subcommittee's chair--before the Speaker.

Then began a crisp interrogation, half a dramatic personal statement by the Speaker and half a Socratic probing of the President. One could imagine the same oral artistry in a sweltering Tennessee courtroom so long ago as Clarence Darrow and William Jennings Bryan clashed over evolution.

The Speaker fixed Gardner in his sight and held him there--almost unblinking it seemed--for nearly an hour. "Now, Dr. Gardner..." he began each sentence, and then followed with some statement succeeded by a barbed question.

--Why are you holding this meeting at so inaccessible a place as the Lawrence Hall of Science?

--Describe access to the Hall.

--What is on the agenda?

--Who decided the agenda?

--When will the public be allowed to speak?

--When will the moral authority of the University be brought to bear against the unspeakable outrage of apartheid?

Gardner answered each question patiently--something like a watchmaker meticulously organizing tiny parts scattered around a table.

--The Hall had been chosen sometime ago and the Berkeley Chancellor had decided not to hold it on campus.

--No, I will not over-ride the Chancellor's decision.

--The public has extensive access to the Regents. Thirteen of them attended a four-hour presentation on South Africa last month and all receive many letters on the subject.

--As a Regent, Mr. Speaker, you have the right to distribute any item to the Board.

--I construct the agenda of the Regents, but only after discussing it extensively with others, including students. In fact, I changed several elements of the agenda upon their recommendation.

--The Friday meeting is for information only--the June meeting is for action but we must first have the Treasurer's full report.

--I have not decided what to recommend. As the administrative leader of the University, I must play a role between the two extremes of those who insist on total divestment and some who have no problems with the current arrangements.

Details dominated the first hour. Then the Speaker turned to what was really on his mind. "Dr. Gardner," he began slowly, his voice gradually rising to a crescendo, "we are very concerned by the University's attitude. Specifically, I want one scintilla of evidence that the atrocities of the South African regime present a problem to you personally, not as President of the University, but as a human being."

The question, or something like it, had been anticipated by Gardner. He paused before answering, and then leaned forward as if to be face to face with the Speaker.

Tersely, Gardner explained that the Presidency required a separation of responsibilities and personal values in the conduct of most business; that many groups constantly pushed him to take up their worthy causes; that he was the only one who could try to forge some consensus among contending groups on the Regents and within the University as a whole--and no President could if his personal values were proclaimed at every step.

Now, Gardner was emphatic to say, that did not mean he would never speak out on social injustice or persecution. "Mr. Speaker," he said, "my great grandfather was driven from Canada because of his religion; he settled in Nauvoo. Then, a mob burned his house and drove him to the West. After several years and more bloodshed, he came to Utah but this was no sanctuary. In fact, the bones of my ancestors are strewn throughout the western United States, and I have personally known discrimination because I am a Mormon. Therefore, Mr. Speaker, I abhor oppression whether it occurs in South Africa, or in Iran, or in Russia. But I do not choose to advertise it."

"Furthermore, the University and I as its leader, because of its public service as an educational and research institution, must take a different posture toward activism and justice than does government whose role is primarily coercion."

But the Speaker was not to be denied--he cut immediately to what most important in his mind: "you can end discrimination against you by changing your religion. Blacks in South Africa can not do that. They cannot speak to a University President in the way I am to you. They can't be philosophical about discrimination. They can't change the color of their skin. And so it goes in this country as well: Willie Brown can not change his skin as he could his religion. Nor can Gwen Moore. There are no Utahs for Bishop Tutu."

This assertion stirred thoughts in us all. Certainly in one sense it was true: skin color is more apparent than religious conviction. But, in another sense, it was not true. In Gardner--from his bearing, his instincts, his convictions--religion reached deep into his being, and it could not be changed casually. No, whatever physical, social, emotional and spiritual forces had shaped both these men during life's journey had left an imprint beyond anyone's power to change.

Each man, of course, was most memorable in representing the quintessential expression of his profession, or--in a larger sense--of his "calling." The Speaker is the consummate American politician: a mixture of evangelist, revivalist, debater, moralist, man of action. His thoughts are charged with emotion, a call to belief, a message aimed at conscience. One invariably listens to him with a growing fervor and animation--on whatever side of the issue. The President is different: everything about him bespeaks discipline, order, reason, temperance. He is a man of immense and critical intelligence whose judgment appears to result more from a process--turning over facts in his mind--than from some pre-existing conceptions.

But both have certain qualities in common: both have pondered the major questions of life, bringing to bear the enormous personal resources given to each. Both have come to different

conclusions about life, but in ways that catapulted them to leadership in institutions among the most powerful in our nation.

No one could be declared a winner or loser in this confrontation: no one's will was bowed; no opinions were changed; no decisions emerged. We all left, though, with a profound sense of having witnessed a singular event on the jousting field of politics and education.

By William H. Pickens, Deputy Director,
California Postsecondary Education
Coordinating Commission

[written for James Richardson's
Willie Brown: A Biography (UC Press,
1996)]

26 March '97

David:
Your strength and insight
have always been our model
Thank you
for

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

June 21, 1985

The Regents of the University of California met on the above date at University Extension Center, 55 Laguna Street, San Francisco.

Present: Regents Andelson, Brown, Burke, Campbell, Carter, Clark, Deukmejian, Gaines, Gardner, Hallisey, Harman, Henning, Honig, Hope, Martinez, McCarthy, Milliken, Moore, Noyce, Pennebaker, Reynolds, Sheinbaum, Smith, Wada, Watkins, and Williams (26)

In attendance: Regents-designate Cusumano, Eberly, and Farrell, Faculty Representative Caserio, General Counsel Reidhaar, Treasurer Gordon, Secretary Smotony, Assistant Secretary Trivette, Executive Assistant Copeland, Senior Vice Presidents Brady and Frazer, Vice Presidents Baker and Kendrick, Chancellors Atkinson, Huttenback, Krevans, and Sinsheimer, Associate Vice Chancellor Vickery representing Chancellor Aldrich, Vice Chancellor Wright representing Chancellor Heyman, Executive Vice Chancellor Vanderhoef representing Chancellor Meyer, and Executive Vice Chancellor Schaefer representing Chancellor Young, staff, members of the Student Body Presidents' Council, representatives of the news media, and guests

The meeting convened at 9:05 a.m. with Chairman Martinez presiding.

.....

The Regents went into Open Session at 9:18 a.m.

1. APPROVAL OF MINUTES OF MEETING OF MAY 17, 1985

Upon motion of Regent Clark, duly seconded, the minutes of the meeting of May 17, 1985 were approved as submitted.

2. REPORT OF THE PRESIDENT OF THE UNIVERSITY CONCERNING UNIVERSITY ACTIVITIES AND INDIVIDUALS

President Gardner presented his report concerning University activities and individuals. Regent Watkins recommended that the report be amended to include recognition of President Gardner's receipt of the French Medal of the Legion of Honor acknowledging his chairing the National Commission on Excellence in Education, which had implications for French education.

H. Copy of document entitled The University's Role in Managing the Department of Energy Laboratories, sixth in series of mailings regarding the University's management role in the Department of Energy Laboratories; June 3, 1985.

17. REAPPOINTMENT OF THE SPECIAL COMMITTEE ON REGENTS' PROCEDURES

The President recommended that the Special Committee on Regents' Procedures be continued and that the Chairman of the Board be authorized to reappoint the Committee for a one-year period effective July 1, 1985.

Upon motion duly made and seconded, the recommendation was approved and adopted.

18. REGENTS' INVESTMENT POLICY

President Gardner noted that the issue of divestment possesses moral, economic, and political significance; affects The Regents' policy on investments, and, therefore, the Board's fiduciary responsibility; influences the University's pension and endowment funds; and raises questions about the role and character of a state-supported university and the range of authority that may properly be exercised in the name of the institution by its governing board. Additionally, the issues before the Board reflect a dispute about the nature of the University itself and how it is to respond to injustices in the larger society.

Dr. Gardner recalled participation in the debate of this issue by members of the University community and the community at large, and the University's commitment to the established values of academic life: patient inquiry; the sequential development of ideas; the emphasis on reasoned discussion and criticism; and the continued reference to evidence. He stated that these values affirm the University's faith in intelligence and knowledge and its obligation to ensure the conditions for their free exercise. These values should be nurtured and protected, not contravened; they stand in contrast to economic sanctions, boycotts, institutional pressuring, and similar means of effecting change which are more coercive than they are reasoned expressions of the human will.

Further, the President noted that Regents were not elected nor appointed to make public policy on a wide range of public issues. On the contrary, The Board of Regents has a rather narrow charge to exercise ultimate authority and to bear ultimate responsibility for the

University of California, an institution for the advancement of learning and teaching in all its forms. However, President Gardner believed that it is also proper that a university should speak for, and embody, the values of freedom, justice, and racial equality; and it is right that The Regents express its detestation of political and racial oppression where it may exist, because such practices threaten all free universities and constrain rather than liberate the human spirit, the informing and freeing of which forms the most basic of the university's purposes.

President Gardner suggested that The Regents' decisions should accord with the educational purposes of this University and not contravene them. He acknowledged that the debate over these issues should take account of the deeply held but conflicting views of members of the University community, including members of the Board of Regents, and the public. He stated that he would be proposing a policy of selective investment as well as one of selective divestment which institutionalizes and enhances The Regents' capacity to consider good corporate citizenship and to take into account the social and moral concerns of the University community in making University investments. Further, he recalled that the Academic Council of the University of California encouraged The Regents to support an "active and principled American presence in South Africa," and stated that his proposal responds to the spirit of that recommendation.

Recommendation of the President on Regents' Investment Policy

The President recommended and moved that The Regents adopt the following resolution:

WHEREAS, The Regents on January 18, 1985, decided to review its investment policy as it relates to the activities of U. S. companies doing business in South Africa, and directed the Treasurer to provide The Regents with a report on this issue, such report having now been received; and

WHEREAS, The Regents acknowledges that members of the University's student body, faculty, and staff have been vigorously denouncing the system of apartheid in South Africa and actively urging The Regents to divest the University of its investments in companies doing business in the Republic of South Africa for the purposes of signalling the University's abhorrence of apartheid, placing pressure on the South African Government, and seeking to bring racially discriminatory practices in that country to an end; and

WHEREAS, The Regents joins with the members of the University community in condemning the policies and practices of apartheid in South Africa; and

WHEREAS, The Regents regards such policies and practices, as they do other policies and practices throughout the world intended to suppress rather than to protect the civil rights of every human being, as repugnant to the principles of individual liberty, social justice, and political and economic enfranchisement which are the bases of government policies in free societies everywhere; and

WHEREAS, The Regents, while denouncing such policies and practices in South Africa and elsewhere, must also take account of its responsibilities under the Constitution of the State of California as the University's governing board; and

WHEREAS, The Regents acts as trustee for the University's retirement and endowment funds and other funds of the University for which The Regents incur fiduciary duties; and

WHEREAS, The Regents' policy on investments accords primary consideration to the safety, rate of return, and present and future opportunities for diversification of the investment portfolios for which The Regents is lawfully responsible; and

WHEREAS, The Regents' present policy on investments also regards good corporate citizenship and the social and moral concerns of the University community as appropriate factors to be considered in making investment decisions; and

WHEREAS, The Regents, in taking account of good corporate citizenship and the social and moral concerns of the University community can best act on such matters when receiving responsible and informed advice in a timely and dependable way; and

WHEREAS, The Regents intend to seek such advice consistent with established practice within the University, including the participation of students, faculty, staff, and, in this instance, alumni;

NOW, THEREFORE, BE IT RESOLVED THAT:

- A. The Regents instruct the President of the University to appoint a University Advisory

Committee for Investor Responsibility (UACIR) to consist of two members of the academic staff, appointed by the Chair of the Academic Senate; two members of the University's student body, one undergraduate and one graduate, appointed by the Chair of the Student Body Presidents' Council; one alumnus, appointed by the President of the Alumni Association of the University of California; the Chair of the Council of UC Staff Assemblies; the Chair of the University of California Retirement System Board; the Treasurer of the University or his designee; and an Officer of the University who will serve as Chair of the Committee and who will be appointed by the President. The period of service, the provision for staffing and budget and related issues are to be determined by the President, in consultation with the Chancellors. The effectiveness of and the criteria used by the UACIR will be reviewed by The Regents no later than June 30, 1987. The Committee is to be advisory to the President, and, consistent with Regental policies, will:

- (1) Review on a case-by-case basis the quality of corporate citizenship of companies included in the University's investment portfolio, and of banks and financial institutions with which the University places its funds, such review to occur no less than once annually and to be informed by the services of knowledgeable third parties including but not limited to the Investor Responsibility Research Center, the International Council for Equal Opportunities Principles, Inc., and similarly reputable organizations; and
- (2) Consider shareholder resolutions in which the University would have reason to be interested on social or moral grounds, as such may be proposed by the University or by others; and promptly consider ways of improving the University's exercise of its shareholding voting rights for the purpose of promoting good corporate citizenship by companies in which the University has invested; and
- (3) Regard the vigorous promotion of racial equality by companies doing business in

South Africa as being required by the University's definition of good corporate citizenship; and review the performance of such companies on a case-by-case basis using the Sullivan Principles¹, or an equivalent code of corporate conduct consistent with the spirit of the Sullivan Principles, as a guide to determining good corporate citizenship; and regard the failure to meet the test of good corporate citizenship as a presumption for the University not to invest in such companies, or, if an interest is already held, to sell the University's interest in such companies over a reasonable period of time, provided such action is consistent with the fiduciary duties of The Regents; and

- (4) Recommend to the President actions for consideration by The Regents' Committee on Investments that are responsive to the issues of investor responsibility with which the UACIR is concerned.
- B. The Regents regard companies doing business in South Africa with a rating on their Sullivan Principles performance of Category I (making good progress) or Category II (making progress), or a comparable level of performance on an equivalent code of corporate conduct, as presumptively meeting the University's standard for good corporate citizenship. The Regents instruct the UACIR promptly to review all University investments in companies doing business in South Africa that do not meet this presumptive standard and to recommend on a case-by-case basis, consistent with the policies established herein, appropriate action for consideration by the President and The Regents' Committee on Investments.
- C. The Regents instruct the Treasurer to make no new investments in companies doing business in South Africa that are not rated in Categories

¹As used in this Resolution, the term "Sullivan Principles" refers to the (Sullivan) Statement of Principles (Fourth Amplification), November 8, 1984.

I or II as to compliance with the Sullivan Principles, or a comparable level of performance on an equivalent code of corporate conduct, without the specific approval of The Regents' Committee on Investments, such action to be considered on a case-by-case basis, consistent with the policies established herein, and to be informed by advice from the UACIR as provided above.

- D. The Regents instruct the President, in consultation with the UACIR, to help form consortia of universities, companies and institutional investors organized for the purpose of fostering efforts by U. S. firms doing business in South Africa to improve the educational opportunities and the health and economic conditions of non-whites in South Africa and to improve the effectiveness of the Sullivan Principles.
- E. The Regents instruct the President, in consultation with the Academic Senate, to study how the University of California can engage its teaching, research, and public service resources to further the educational opportunities of non-white South Africans both in the United States and in the Republic of South Africa and to establish programs of exchange intended to help develop the human talent and resources of South Africa's non-white population.
- F. The Regents instruct the President, in consultation with the Treasurer, to arrange for the establishment of one or more South Africa-free supplemental retirement funds for University of California faculty and staff who wish to place their contributions into such a fund.

Regent Clark seconded the motion.

The Willie Brown Plan

Regent Brown then proposed adoption of the following substitute resolution:

WHEREAS, the continued and growing violations of basic human rights by the government of South Africa and its brutal system of apartheid is both objectionable to the Board of Regents and in contradiction of the University itself as an

institution of enlightenment free from all forms of racial discrimination; and

WHEREAS, during the last six months, the Board of Regents, consistent with its fiduciary responsibilities, has heard extensive testimony and evidence from established experts in the field of African studies, portfolio management, and the law as it pertains to its fiduciary duties; and

WHEREAS, the Board of Regents has been supplied with detailed analyses of the impact of divestment upon the University's portfolio, including an analysis drafted by some of the University's most prestigious economists, clearly demonstrating that a South Africa-free portfolio would not only be cost free but would actually increase portfolio earnings; and

WHEREAS, the Board of Regents desires to separate the University from complicity in the human rights violations of the regime in South Africa;

NOW, THEREFORE, BE IT RESOLVED THAT The University shall pursue the following policies unless or until the system of apartheid is abolished.²

Phase I: Selective Divestment

- A. Over the next twelve months, the University shall not make any purchases of equities or bonds of companies that have operations in

²The abolition of apartheid is to be defined as follows:

1. Passage of a comprehensive, nonracial voting rights act in a unitary state.
2. Granting of the elementary civil right of free movement and the end of passbook requirements, detention without trial, forced removals, and influx control.
3. Amnesty for those imprisoned for passbook violations, trade union, and similar activities.
4. Repeal of the Homelands Policy.
5. Freedom of association.

South Africa or that provide loans to the public or private sectors in South Africa.

- B. Over the next twenty-four months, the University shall divest itself of all stock and bond holdings in:
- (1) Any enterprise engaged in business in or with South Africa that extends credit to the government of South Africa or its agencies, participates with them in joint ventures, or makes sales to them of products and services used by the South African military, police or other agencies for enforcement and control;
 - (2) Any financial institution that makes loans to the South African government or its agencies, or to a privately-owned South African financial institution that makes loans to the South African government or its agencies.
- C. Over the next twenty-four months, the University shall withdraw its deposits from and discontinue purchasing short term money market instruments of those banks that hereafter make or increase loans to the government of South Africa or its agencies or to any privately-owned South African financial institution that makes loans or increases loans to the South African government or its agencies.
- D. Over the next twenty-four months, the University shall divest itself of all stock and bond holdings in any business enterprise or bank that engages in the following:
- (1) Increases its operations or facilities in South Africa; or
 - (2) Makes any new investments in South Africa; or
 - (3) Sets up new licenses, affiliates, or subsidiaries in South Africa.

Furthermore, those companies with South African operations must pledge in writing to The Regents that they will not engage in any of the above activities until apartheid is ended.

Phase II: Full Divestment

Unless within twenty-four months there has been significant progress toward the abolishment of the apartheid system, the University shall proceed to divest itself fully of stocks and bonds of any companies or banks with any operations in South Africa. This process shall take no more than three years. In addition, the University shall immediately withdraw its deposits from, and discontinue purchasing short term money market instruments of, those banks that make any loans to the public or private sector of South Africa or to any business enterprise for purposes of trading with South Africa.

As a condition precedent to the implementation of "The Willie Brown Plan," The Regents seek a judicial determination that "The Willie Brown Plan" does not constitute a breach of The Regents' fiduciary duty. This prior judicial determination shall be sought by outside counsel.

Regent Gaines seconded the motion.

As a procedural matter, General Counsel Reidhaar noted that the California Fair Political Practices Commission (FPPC) had met on Tuesday, June 19, 1985 to consider potential conflicts of interest and disqualification on the part of individual Regents considering the matter of divestment. He reported that the FPPC had advised that a Regent would be required to disqualify himself from participating in discussions of proposals before The Regents involving the proposed divestment of stocks owned by the Regent or by a member of his family, and where divestment of that stock is proposed either immediately or within a two-year period, and if the effect of that decision could increase or decrease the value of stock in the Regents' portfolio by at least \$250.

However, Mr. Reidhaar stated that, in his view, this opinion is incorrect, and that it is not reasonably foreseeable that actions taken by Regents on the matter of divestment, if carried out in a prudent manner, would have a foreseeable effect upon financial interest. He noted, nevertheless, that the Commission's opinion obliged him to note for those Regents with holdings in companies which might be affected by the proposed divestment resolution that if they wish to abide by the advice of the FPPC, they should not participate in the discussion or the vote on "The Willie Brown Plan." He referred to section B.(1) of Regent Brown's proposal,

noting the wide range of products and services implied therein, and the twenty-four-month period specified in that section.

At Regent Brown's request, General Counsel Reidhaar reported the following potential penalties for anyone believed to be in violation of the FPPC ruling:

- ° In action brought by any citizen of the State of California or by the FPPC, a civil prosecutor might bring action to recover up to three times the benefit that might have been received when disqualification was required, and a fine of up to \$2,000.
- ° In criminal action brought either by the Attorney General or the District Attorney, a knowing or willful violation of the act is a misdemeanor punishable by a fine up to \$10,000 or three times the amount unlawfully received.
- ° Further, in the event of the finding of a criminal violation, the individual might be disqualified from candidacy for public office or a lobbyist for a period of four years.

General Counsel Reidhaar suggested that any Regent wishing to disqualify himself from consideration of this matter should so note for the record together with a brief reason for the disqualification.

Regent Brown stated he believed President Gardner's proposal does not address the issue in a manner befitting the University. He referred to Regent Carter's announcement at the May 17 meeting of a moratorium on the purchase of stocks of companies doing business in South Africa pending action on the investment policy. He suggested that, were the University in a position of owning no investments involved in South Africa, no one would be recommending such purchases, and that such investments would be judged unwise since their safety could not be predicted.

Regent Brown then referred to specific portions of his proposal which address military-related activities in South Africa and short and long term investment and banking strategies intended to support the abolishment of apartheid. He noted that his proposal provides an orderly movement to divestment over a three-year period. He urged a firm statement and commitment to move The Regents from its 1977 position to one where the University is doing no business of any fashion with South Africa. He further characterized "The Willie

Brown Plan" as responsive to constituents, good judgment, and human dignity, and as a plan which promises the increase of return on investments.

Regent Pennebaker then requested clarification of the condition specified in Regent Brown's proposal for a judicial determination. Speaker Brown recommended that this determination be sought from the California Supreme Court. Regent Pennebaker expressed his concern for the probable delay in receiving such a decision.

Regent Honig spoke in favor of Regent Brown's proposal. He supported the philosophical direction of President Gardner's recommendation, but believed that the Brown Plan represented a stronger and more workable course of action. He spoke of the Regents' obligations to retirees and to the University, and discussed relative merits of specific portions of each proposal before the Board. Additionally, he discussed the care which must be taken to protect democratic processes in such deliberations.

Faculty Representative Caserio noted Regent Brown's earlier reference to the "California Plan," which was developed by a group of University of California faculty, as the basis of his proposal and as representative of the recommendation of the general University faculty. She recalled attempts made by herself and Faculty Representative Smith to gain a sense of the faculty opinion on this matter. Professor Caserio recalled that the report of those efforts were distributed to The Regents in what is referred to as the "Marcum Report," and that there had been no clear consensus on the campuses. She stated that there was neither a majority for full divestment, nor for the status quo, but that there was clearly some support for selective divestment.

Regent Henning spoke in favor of Regent Brown's proposal, and stated that he was in absolute opposition to the President's recommendation. He stated that the U.S. corporate presence is in South Africa for profit reasons, and that presence would not take any action to endanger those profits. He spoke of the moral-ethical case, and the economic case, and urged Regents to vote based on moral-ethical considerations in this matter.

Regent McCarthy supported Regent Brown's substitute motion, describing it as a middle-of-the-road plan in contrast to the immediate divestment urged by others. He believed this plan to provide for prudent action to be taken on behalf of retirees, and a clear signal that

the Board of Regents acts consistently with values promoted in the University's classrooms.

Regents Clark and Brown discussed the process and implications of requesting a judicial determination in the form of a declaratory relief action, and appropriate jurisdiction vis-a-vis The Regents' separate constitutional authority.

Regent Clark expressed further concern that the University pension fund's tax-exempt qualification under Internal Revenue Code 401(a) remain secure under any action adopted by The Regents. He referred to the stipulation that tax-exempt funds in a defined benefit plan must be utilized for the exclusive benefit of the employees, and that such funds cannot be diverted for any purpose other than the exclusive benefit of the employees. Regent Brown stated that he would confirm that the legal advisors in this matter had considered this aspect, and ask Mr. Jerome Falk to discuss this with Regent Clark. Additionally, he noted differences in requirements for the handling of pension and non-pension funds which might affect the University in this matter.

Regent Burke referred Regent Clark to the case of Shelby U.S. Distributors v. Commissioners in a similar matter addressing the question of whether, in a series of transactions, IRS 401(a) had been violated, and if the exemption would be lost in a situation where it was questionable whether the basis for actions had been primarily for the benefit of the employees. She further offered to provide full information on this case to Regent Clark.

Regent Wada recalled his vote in favor of divestment in 1977. He expressed his belief that the situation of black South Africans has not improved since that time, and confirmed that he continues to support divestment. He strongly urged Regents to vote in support of the resolution proposed by Regent Brown.

Regent Gaines spoke in favor of Regent Brown's proposal, asking Regents to address any opposition to specific elements of this proposal. Regent Moore asked what action is implied for The Regents during the period pending a judicial determination.

Regent Williams proposed an amendment to the Brown Plan that:

To the extent that it has been determined that The Regents shall divest or not invest in any company

doing business in South Africa as defined at any point within the Plan, that The Regents also determine that they will not accept any gifts, grants, or other support from that institution.

Regent Gaines seconded the motion.

Regent Williams elaborated by noting that, if certain investments were determined to be tainted, then the proceeds should be viewed the same way. He then reviewed various predictions of the potential effectiveness of divestment in eliminating apartheid. He discussed fiduciary responsibility, both for the University of California retirement funds, and for the long term integrity of the University. He expressed his concern that the University not develop policy based on political concerns, and referred to other issues such as abortion, alcohol, and tobacco, where strong public sentiment might precipitate attempts to draw the University into taking an unwarranted position. Mr. Williams further discussed the possibility of altering The Regents' investment policy based on considerations having nothing to do with South Africa. He emphasized the care which must be taken in addressing a portfolio of five and one-half billion dollars.

Regent Williams recalled his continuing strong advocacy for active corporate responsibility on the part of shareholders in holding management accountable and affecting corporate policy. He spoke in favor of The Regents' taking a more active role as shareholder, and stated he believed the Board should not take positions which could be perceived as political, or which set precedents he believed were unintended. Regent Williams then expressed his full support for President Gardner's proposal.

Regent Gaines withdrew his second of Regent Williams' motion to amend "The Willie Brown Plan."

In response to Chairman Martinez's request, General Counsel Reidhaar stated that the appropriate time for Regents to disqualify themselves from voting in this matter would be when their names were called for the vote, noting that Regent Noyce had already disqualified himself. Mr. Reidhaar then offered the following statement for adoption by those Regents who wished to disqualify themselves:

I have disqualified myself from participating in the discussion of, or voting on, this motion because I, or members of my immediate family, have

an investment in one or more of the companies which might be covered by this divestment proposal.

Regent Brown stated that Regent Williams did himself and other Regents a disservice by equating deaths in South Africa with individuals' personally abusing their own bodies. He urged the Board to take action evidencing the abhorrence for apartheid expressed by individual Regents throughout these discussions.

The substitute proposal recommended by Regent Brown for revising The Regents' investment policy was then put to a vote and failed; Regents Andelson, Brown, Burke, Gaines, Henning, Honig, McCarthy, Sheinbaum, and Wada (9) voting "Yes"; Regents Campbell, Carter, Clark, Deukmejian, Gardner, Hallisey, Harman, Hope, Martinez, Moore, Pennebaker, Reynolds, Watkins, and Williams (14) voting "No"; and Regents Milliken, Noyce, and Smith (3) disqualifying themselves by adopting the statement suggested by General Counsel Reidhaar.

Regent Watkins recalled the significant pressures brought upon the University in this matter during the past several months. He commended the President, Chancellors, and other Officers and employees for protecting the University from the onslaught, violence, and revolutionary rhetoric, and for protecting the right of freedom of expression and rational discourse during this period. He decried apartheid as an odious system, and described other regimes even more odious, referring to the annual report from Freedom House which he recently distributed to all Regents.

Regent Watkins commended President Gardner for his conduct during the months in which this issue had been deliberated, and for appropriately seeking a middle ground. However, Regent Watkins believed paragraphs 2 and 3 of President Gardner's recommendation represented an unwarranted, undeserved, and unintended attack on American business based on the presumption of guilt until proved innocent, and he stated that he found this totally unacceptable. He spoke of American companies in South Africa as a force for positive change whether or not they subscribe to the Sullivan Principles. Regent Watkins summarized his estimation of the proposal as:

- ° An abuse of trust funds for an unrelated political purpose;
- ° A case of selective morality; and

- ° An unwarranted attack on American business, and one in which he hoped the Governor would not want to participate.

Regent Watkins urged a "No" vote on the President's proposal, and noted that the effect of this would maintain the present investment policy which considers corporate citizenship and social responsibility as important criteria in selecting and evaluating investments.

Regent Burke spoke of the magnitude of the South African issues in contrast to repression occurring in other parts of the world, and referred to the recent U.S. Congressional recognition of this difference when the House of Representatives reached a bipartisan decision to recommend economic sanctions against South Africa. Further, Regent Burke spoke of the responsibility of the University of California, because of its prominence, to provide leadership in such issues. She regretted that the President's proposal did not include at least a continuation of the action accepted by The Regents in May to discontinue investing in companies doing business in South Africa. Regent Burke circulated materials from Amnesty International illustrating the seriousness of the political situation in South Africa, in contrast with the Freedom House description of South Africa as "partially free."

Regent Clark spoke in favor of President Gardner's recommendation. He quoted the concluding statement from the Marcum report of the University of California Academic Council, and cited it as being completely in accord with his own beliefs and those expressed by other Regents in this matter:

It would be irresponsible for Americans to walk away from South Africa, leaving their plants and technology in the hands of those who dominate, just as it would be unconscionable for Americans to continue to invest in firms that profit from complicity with apartheid. We can meet the moral challenge of apartheid only by committing ourselves to the immensely difficult task of rendering the American presence in South Africa an uncompromising force for human emancipation.

Regent Campbell associated himself with the remarks of Regent Watkins. He stressed that, like Regent Watkins and all others at the Board table, he also abhorred apartheid. He commended the statesmanship of President Gardner and his staff in dealing with a very difficult issue.

Regent Pennebaker also spoke in support of the President's recommendation. He stated his hope that, if the resolution were adopted, the UACIR would entertain measures stronger than those included in the Sullivan Principles.

Regent McCarthy believed the President's proposal would not result in any concrete action. He indicated that, in an attempt to bring some degree of harmony to the Board, he had suggested to the President that The Regents might consider addressing sections A and/or B of Regent Brown's plan. He regretted that the President did not concur in this suggestion, and Regent McCarthy stated he intended to vote "No" on the President's recommendation.

Regent Gaines moved to amend the President's recommendation by adding section A of the Brown Plan as follows:

7. Over the next twelve months, the University shall not make any purchases of equities or bonds of companies that have operations in South Africa or that provide loans to the public or private sectors in South Africa.

The motion was seconded by Regents Wada and Sheinbaum. General Counsel Reidhaar indicated that Regents would not be required to disqualify themselves regarding either the President's proposal nor the proposed amendment. The amendment was put to a vote and failed, Regents Andelson, Brown, Burke, Gaines, Harman, Henning, Honig, McCarthy, Sheinbaum, and Wada (10) voting "Yes"; Regents Campbell, Carter, Clark, Deukmejian, Gardner, Hallisey, Hope, Martinez, Milliken, Moore, Noyce, Pennebaker, Reynolds, Smith, Watkins, and Williams (16) voting "No."

Regent Gaines then moved to amend President Gardner's recommendation by adding section B.(1) of the Brown Plan as follows:

7. Over the next twenty-four months, the University shall divest itself of all stock and bond holdings in any enterprise engaged in business in or with South Africa that extends credit to the government of South Africa or its agencies, participates with them in joint ventures, or makes sales to them of products and services used by the South African military, police or other agencies for enforcement and control.

The motion was seconded by Regent Sheinbaum.

President Gardner reported that this paragraph was intended to limit the holdings of stocks and bonds by the University of California with respect to products sold by such companies as are in its portfolio. He further reported that this recommendation was not unique to Regent Brown's plan, but was included in the California Plan and in the Marcum report, and was of particular interest to those who favored selective divestment. President Gardner had decided not to include a similar statement in his recommendation due to problems of specificity, definition, and operational characteristics of the language itself, all independent of the merit. President Gardner stated he had no doubt that, to the extent his recommendation was adopted, the UACIR would debate this issue as it considered corporate citizenship, and suggested this point would be better left open rather than set as policy at this time.

Regent Sheinbaum spoke in favor of mandating that the UACIR consider this point by adopting the amendment. Regent Gaines urged The Regents to adopt this paragraph to indicate its line of unacceptable activity. Regent Burke believed that the President's indication that this was to be one of the criteria employed by the UACIR served the same purpose as adopting the proposed amendment. Regent Wada favored adoption of the amendment because no Regents would sit on the UACIR. President Gardner noted that the Committee would have no independent authority, but would be advisory only, and its advice would be transmitted to the Committee on Investments. Regent Sheinbaum withdrew his second, and Regent Brown seconded the proposed amendment.

Regent Watkins noted that the proposed amendment referred only to South Africa, and suggested that it would be reasonable to ask the UACIR to review similar activities in other countries. General Counsel Reidhaar referred Regent Watkins to page 2, paragraph A.(1) of the President's proposal, which he believed addressed this particular point.

Regent Harman asked if The Regents would consider adopting the proposed amendment as a separate resolution directing the UACIR to pay particular heed to those considerations, and adopting the President's resolution as it was presented. There followed discussion of the action which might most appropriately ensure that the UACIR adopt Phase I.B.(1) of "The Willie Brown Plan" as a directive. Considerations were the desire on the part of Regents for a strong statement to be adopted, and

differences between mandating and advising operations of the UACIR. Regent Gaines withdrew his motion.

Regent Williams responded to the interpretation of his comments by Regents Brown and Burke. He had not intended to equate various social situations he cited as being equal in human terms, but to illustrate that this issue represents a threshold in the question of issues appropriately addressed by the University's taking a position. He had articulated other issues which are, in many people's minds, in diminishing order of humanistic compassion and importance in order to illustrate the problem. Regent Williams then expressed his wish to add another paragraph to the President's resolution which would address his own concerns about the issues on which the University would adopt a position, and which were reflected in the President's introductory remarks.

Regent Andelson commended President Gardner for attempting to resolve this issue. However, he believed the President's proposed resolution lacked sufficient strength, and stated that he would be voting "No" on that recommendation.

President Gardner indicated his willingness to support Regent Harman's proposed motion if it were posed as a request from The Regents to the UACIR. However, he stated that, in its present form, he could not accept it. He recalled the careful consideration given to this issue over the past several months by all members of the Board, and that he had attempted to take the various concerns of individual Regents into account as he developed a viable, substantive proposal. He urged The Regents to reach agreement on this matter, and that each Regent vote his conscience.

Regent Gaines again moved to amend the President's resolution by adding as paragraph 7 section B.(1) of the Brown Plan. The motion was seconded by Regent Brown. Regent McCarthy proposed adopting the following wording for the amendment proposed by Regent Gaines:

Over the next twenty-four months, it shall be the policy of this Board to divest itself of all stock and bond holdings in any enterprise engaged in business in or with South Africa that extends credit to the government of South Africa or its agencies, participates with them in joint ventures, or makes sales to them of products and services used by the South African military, police or other agencies for enforcement and control, after timely evaluation and identification by the UACIR of such transactions.

In response to Regent Campbell's request for clarification of this statement, Regent McCarthy noted that this amendment would serve as a clear policy statement to the UACIR acknowledging The Regents' intent to seek advice and counsel.

Chairman Martinez then proposed the following wording for this amendment:

The Board of Regents instruct the UACIR, over the next twenty-four months, to review The Regents' portfolio to determine if any of the holdings in its portfolio include any enterprise engaged in business in or with South Africa that extends credit to the government of South Africa or its agencies, participates with them in joint ventures, or makes sales to them of products and services used by the South African military, police or other agencies for enforcement and control, with a view towards recommending divestment in such enterprises.

Regent Brown withdrew his second from the amendment as reworded by Chairman Martinez, stating that Regent McCarthy's policy statement more clearly reflected the intent of the original paragraph in "The Willie Brown Plan." Following a brief discussion of this point, Regent Gaines declined to accept Chairman Martinez's statement, and replaced it with that proposed by Regent McCarthy.

Regent Hope spoke against the proposed amendment and in favor of the President's original recommendation. He believed the amendment was redundant.

The motion was put to a vote and failed, Regents Andelson, Brown, Burke, Gaines, Henning, Honig, McCarthy, Sheinbaum, and Wada (9) voting "Yes"; Regents Campbell, Carter, Clark, Deukmejian, Gardner, Hallisey, Harman, Hope, Martinez, Moore, Pennebaker, Reynolds, Watkins, and Williams (14) voting "No"; and Regents Milliken, Noyce, and Smith (3) disqualifying themselves.

Governor Deukmejian acknowledged the varying views of the Board members, and commended the President for the scholarly and professional care taken in developing his resolution. He stated that, while he did not agree with the recommendation in its entirety, he believed that through its adoption the University will have exercised its moral responsibility to condemn the very brutal apartheid system that exists under the policies of the government of South Africa against many millions of black residents of that country. Additionally, the

Governor noted that such action would permit The Regents to carry out its legal and fiduciary responsibilities. He urged adoption of this resolution as a clear signal of the abhorrence of the denial to millions of basic civil liberties and of the atrocities being carried out in that country.

Additionally, Governor Deukmejian noted that other public agencies would follow the lead of The Regents, and that its voice would be heard by those who are in positions to directly effect changes in foreign policy.

President Gardner referred to his earlier statement asking Regents to vote their consciences. He did not intend that remark to be interpreted as his lack of desire for their full support. He expressed his belief that the recommendation he proposed would accomplish the purposes to which the Governor had made reference, that it was a strong statement, and that it represented progress in establishing mechanisms not currently in place within the University for addressing this issue.

The President's recommendation was put to a vote and carried, Regents Carter, Clark, Deukmejian, Gardner, Hallisey, Harman, Honig, Hope, Martinez, Milliken, Moore, Noyce, Pennebaker, Reynolds, Wada, and Williams (16) voting "Yes"; Regents Andelson, Brown, Burke, Campbell, Gaines, Henning, McCarthy, Sheinbaum, Smith, and Watkins (10) voting "No."

Regent Harman then proposed adopting the following resolution:

The Regents request the UACIR, in evaluating the corporate citizenship of companies and banks in the University's portfolio, to pay particular heed to whether the company or bank extends credit to the government of South Africa or its agencies, participates with them in joint ventures, or makes sales to them of products and services used by the South African military, police or other agencies for enforcement and control; and whether the company or bank makes loans to the South African government or its agencies, or to a privately-owned South African financial institution that makes loans to the South African government or its agencies.

The motion was seconded by Regent Pennebaker.

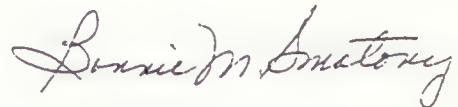
Regent Watkins proposed including with "South Africa" the names of countries listed by Freedom House as being "not free." This amendment was seconded, put to a vote,

and failed, Regents Campbell, Clark, Deukmejian, Hallisey, Honig, Milliken, Moore, and Watkins (8) voting "Yes"; Regents Andelson, Brown, Burke, Carter, Gardner, Harman, Henning, Hope, Martinez, Noyce, Pennebaker, Sheinbaum, Wada, and Williams (14) voting "No"; Regents McCarthy and Gaines abstaining.

The motion proposed by Regent Harman failed on a voice vote.

The Regents adjourned at 1:30 p.m.

Attest:

A handwritten signature in cursive script, reading "Bonnie M. Amatory".

Secretary

CALIFORNIA Q&A

A CONVERSATION WITH DAVID P. GARDNER, M.A. '59, PH.D. '66



By Russell Schoch

Some surprises about David Pierpont Gardner, president of the nine-campus University of California system: he initially planned a career in Berkeley city management, he served as a spy in Korea, one of his jobs as vice chancellor at the UC Santa Barbara campus in the late 1960s was to wade through the crowds of protesters to determine how "high" they were, how high were they? "Reasonably high," he says; and, at that same campaign, he fought to establish programs in Latino and Black studies.

Further surprise about a man often described as "invisible" and "passionless": when challenged, he will rise quickly and eagerly to the defense. Gardner is a careful, analytical, apolitical man—"It's in my bones," he says, about his ability to read the official print—but he enjoys a good argument and enters the fray with the calm assurance of one who believes morally and intellectually that he is right.

Though he has been described only by a state legislator as "the infuriatingly inscrutable public official" he had ever encountered, Gardner has worked some magic with the California legislature and its governor. In his three and a half years as president of the UC system he has transformed a dismal financial and public relations slide into a course of recovery, stability, and optimism. One gets the feeling that Gardner's ego is fed most fully by discharging into the institutional task before him (becoming "personless" but very effective) and then reaping the glory as the institution prospers. That is, he may work in an "ego-free" way, as one close colleague says, "he has a lock on this University and on the state which has not been seen since the glory days of a different personality: Robert Gordon Brown."

In retrospect at least, it seems that Gardner's path to the UC presidency was an inevitable one. His father moved to Berkeley in 1925, not only because he had a good job offer (he would spend 40 years as a federal civil servant in Berkeley), but also because he wanted his children to attend Cal. But, after graduating from Berkeley High School in January 1951, and attending Cal for one semester, David Gardner disappointed his father by transferring to Brigham Young University, where he earned his undergraduate degree in political science in 1955.

With thoughts of a career in law, Gardner then applied to and was accepted by Boalt Hall. But the Army intervened, and he spent two years in Korea, in the intelligence service—"gathering information in places we shouldn't have been," as he puts it. He returned to Cal to earn a master's degree in political science (1959) while also serving an internship in the city manager's office in Berkeley. "I had intended at that point to go into city management," he says, adding, with a touch of irony, "but I found the environment to be too political."

Instead, he took an administrative job with the California Farm Bureau Federation, and his two years in that post allowed him to travel extensively through the state. "For the first time, I really became acquainted with California."

In 1960, Richard Erickson '49, then executive manager of the California Alumni Association, picked Gardner's file from the placement office at Cal and hired him to assist with the Alumni Clubs and to administer the Alumni Scholarship program. Gardner remembers this two-year period as crucial to his future. He came to know well not only the Berkeley campus but the system-wide University as well. One of his responsibilities was to arrange the annual tours of the Berkeley chancellor (Glenn Seaborg) and the University president (Clark Kerr) to meet with alumni throughout the state. "At this time, the University of California was expected to double its enrollment and add three campuses, and I was happy to be a part of that. It was a very exciting time in the history of the University. People were upbeat, excited, active, and optimistic."

His job and the heady atmosphere prompted Gardner to throw in his lot with higher education. He began a Ph.D. program in the field of higher education at Berkeley in 1962, the same year Erickson appointed him to start the Alumni Foundation, the forerunner of the current Development Office, which raises money for the campus.

In 1964 he was offered the position of assistant to the chancellor of the Santa Barbara campus, with duties in the fields of alumni and community relations. While he performed those du-

ties and finished his dissertation (published in 1967 by UC Press as *The California Loyalty Oath Controversy*). Santa Barbara was undergoing some changes. Not only did its population increase nearly three-fold during Gardner's six years there, but student protest entered the scene as well.

Gardner, in his early thirties and just a step out of graduate school, found himself acting as a mediator between the administration and the students. "The role I was asked to play," he says, "was to help both sides understand one another." These years took their psychic toll. "One can only sustain that kind of pressure for so long," says Gardner. "By 1970, I had about reached my limit; I think one more academic year of that and I would have gone into something else."

In more general terms, Gardner explains the significance of that period. "What happened, by and large at this time, was that people like myself, just starting out in higher education, were thrown into the turmoil of the late '60s, and we either moved along more quickly because of it or were finished. Because I was so involved at Santa Barbara—because of the degree of visibility regarding my work—both the regents and the president of the University, Charles Hitch, noticed me. President Hitch asked me to join his staff as one of the vice presidents of the University. I did so in January, 1971."

His two years in that post, in an office down the hall from his current spot in University Hall, was spent on University Extension, carrying out Hitch's request to devise a program that would permit degrees to be earned at Extension. Gardner's successes were mixed in that venture, but one significant event occurred: "I am proud of the fact," he says, "that it was the only new program that was approved by Governor Reagan during his entire administration." How did Gardner manage that? "Well, we worked hard for it, lobbied for it, and I had an opportunity to talk to the governor about it."

Gardner, who says that he has never applied for a job in his life, in 1973 was offered the presidency of the University of Utah, a position he held for the next decade, overseeing a general rise in its funding and academic reputation. Toward the end of his reign there, he was appointed to head a Reagan administration commission on education, and he received a good deal of attention nationally for roping together 18 educators and getting them to agree, in writing, on what was wrong with America's schooling. The report, "A Nation at Risk," warned that America's "once unchallenged preeminence in commerce, industry, science, and technological innovations...is being eroded by a rising tide of mediocrity" in the nation's schools and colleges. That report set off a wave of school reforms and earned high marks for Gardner.

Gardner received several invitations to take other university presidencies while he was at Utah (one rumor, which he won't comment on, is that he was approached for the UC position in 1975), declining them all until August 1983, when he became the fifteenth president of the University of California. He came to head a proud system suffering both from the after-effects of the protest days and from a hostile legislature and executive branch, the combination of which was steadily eroding its ability to measure up to its past and to prepare for its future.

Q: What surprised you most about the University of California when you became president?

A: The erosion of state support that had occurred during the ten years I was away.

Q: You had heard about it?

A: Yes, but I hadn't followed it closely enough to fully appreciate the significance, and what it meant to the system.

I was asked to take this position in March 1983. No sooner had my wife and I returned to Utah when I read that the State of California was issuing IOUs to its employees. I turned to Libby and said, "What have we done?" And then Bill Baker and Larry Hersman, the University's budget people, came up to Salt Lake and spent a whole day with me reviewing the budget. And I thought, on the way home, "I should have looked at that before I accepted the job."

In any event, it was clear to me that if I could not succeed in turning around that situation, nothing else I could do here would make any difference. That was the number-one priority.

Q: What did you do?

A: As soon as I came here in August 1983, I set about to re-establish our rapport with the legislature, the governor, with our alumni, and with key people throughout the state. To call out what it means for the University of California to be in a debilitated state, and what it

would mean if these adverse trends persisted.

Q: It helped that you had been away?

A: Absolutely. For example, I found upon coming here that morale was very low. In effect, I said: "Look, we've got to get over the past in order to reach the future. I don't care about the past; I want to hear about how we're going to change it."

As was required of me, I submitted a budget within two months of my arrival. And it asked for a 31-percent increase in our operations budget—about 150 million dollars.

Q: What had it been in previous years?

A: Something between 0 and 5 percent. Therefore, when I submitted a budget calling for a 31 percent increase, it had some shock value.

A number of regents and chancellors came up to me and said: "What are you doing? How is it going to look for you to come up with such a request and then get only 3 percent? It's going to undermine you."

I replied: "Well, then I'll only be able to serve for one year."

And then I said: "I want to ask you a question: Do you believe this institution

was out. I invited the friends who earlier had offered to help to write the governor and thank him for his support.

Q: And they did?

A: And they did. So my approach was atypical, it was a high-risk venture. But it was my idea of what was needed to cut the institution loose from the environment in which it had been functioning for several years.

Q: You've discussed the operating budget. What about faculty salaries, which were 16 percent below our comparison universities when you arrived?

A: I asked the state about that and was told: We can close that gap within three years. And I said, "Well, yes you could; but if you want to signal your intention to put the University of California back in business, just close it up. Close it up in one year. No one is expecting you to do that. It will be noticed by every university in the country; and the impact on the morale and attitude of our faculty, and on our capacity to recruit and hold our people here, will be dramatic." And they did.

In 1974, 90 percent of our first-choice faculty positions were accepted. In 1982-83, it had dropped to 72 percent. It's now back up to 90 percent. And the

"I think we should not be making political decisions. Indeed, the Board of Regents was created . . . precisely for the purpose of keeping [the University] free of political and sectarian interests."

needs to be turned around or not?" The answer, obviously, was that it did. I said: "Well, I know only one way to turn it around—and that's to turn it around."

Q: What did you get that year?

A: We got 99.7 percent of our request. It was an enormous gamble on my part.

Not only that. After answering the questions I've just described, I received a very encouraging response: Regents and chancellors said: "Well, you're going to do this, how can we help you?" I in effect said: Thank you, but no thanks; please don't help me. I've made the presentation to the governor and his chief aides; they are considering the request seriously and professionally. I have the impression that the governor prefers to work on the basis of the merit of the argument, rather than on political persuasion. So let us just work through this as professionally and non-politically as we can.

Now think of the implications of that! If I'd have gotten a budget of 3 percent instead of 31 percent, after having dissuaded members of the Board of Regents and others from actively trying to encourage a favorable response from the governor, I wouldn't have served more than one year.

Q: Did you know Governor Deukmejian before this?

A: No, never met him. My first meeting with him was in the fall of 1983. Two hours.

Q: How did it go?

A: Extraordinarily well [laughs]. I found him very easy to work with, straightforward, intelligent, interesting.

And then, once the governor's budget

difference between 90 percent and 72 percent is the difference between a distinguished university and an average one.

So I want to emphasize that, as I saw it, I had to succeed here in turning our fiscal fortunes around—and in a compressed period of time—or confidence in the University of California's future would be fundamentally compromised for the larger part of a generation.

Look at it this way: We had gone through a decade and a half of declining state support, and we were in a very disadvantageous position. Now we had a new governor; the economy was beginning to look pretty good; there was a new University president, with no baggage; and the campuses were quiet.

That's the most congenial set of circumstances we've ever going to have. If we couldn't make progress under those circumstances, under what set of circumstances could I tell people that they could expect progress? That's why I felt a sense of urgency.

Q: It helps to have the governor on your side.

A: Especially in a state where he holds the blue pencil.

Q: Speaking of your relation with Governor Deukmejian, you were described as "shocked" last summer when he changed his mind and led the regents to a vote in favor of divestment.

A: I don't think I said "shocked." I was surprised.

Q: Why?

A: Because I had not expected it. I had no hint of a change on his part.

Q: Has your opinion on divestment changed since then?

A: I have no different view of my role this now than I ever had. That is, I have never regarded divestment as an effective or useful means of influencing the government of South Africa ultimately chooses to do, while it does the risk of harming the University of California, both fiscally and certainly terms of its impartiality. That's been consistent view.

Q: You don't think that holding interests in such companies is a political statement?

A: We did not invest in IBM because does business in South Africa. If we did that would be as political a statement it would be to sell IBM because it is South Africa.

Q: So you are opposed to the University making political decisions?

A: I think we should not be making political decisions. Indeed, the Board of Regents was created by the constitution of the state, given full powers of governance, precisely for the purpose of keeping it free of political and sectarian interests—not for the purpose of facilitating them.

It's been my impression that those who favor the University making political statements do so only if they are in accord with the position taken by the Board of Regents and would be fit to condemn the regents if their views were different on a specific matter. The Loyalty Oath is a case in point. Those who opposed the oath in significant part did so because they thought it was wrong for the regents of the University of California to be making a political statement as to the views of the members of the faculty and staff. But some who opposed the oath would favor the regents acting on divestment. My view is that they're both wrong.

Q: But the board obviously made what you call a "political decision" in voting for divestment.

A: The board did what it thought was right. I respect its right to do so. I was in the minority, and the majority prevailed. That's how it works in our society.

Q: Let me ask you about the University and the Los Alamos and Livermore labs.

A: Let's take the labs. We've been managing these labs for 45 years. During that period, both houses of Congress, both parties, and Presidents from both parties have consistently been of the view that the national interest is best served if the University of California manages these laboratories, rather than having them managed by the Department of Defense or the Department of Energy or by a private contractor.

As I see it, we are rendering the country a public service in responding to that request. We are surely not doing it because it makes our lives easier, or for the money, or for prestige.

Now, if the federal government came to believe that the national interest is better served by having someone else manage the labs, we're not going to protest it. At least I would not.

Q: But is there not some part of your psyche that would like to do what Governor Deukmejian did in regard to divestment? To lead the University in a fight against managing the labs, which build weapons of destruction?

A: Let me put it this way. It's perfectly true that some people regard both the work of the labs and our management of them as abhorrent. It is equally true

(Continued on page 11)

Q&A: Gardner

(Continued from page 9)

that the members of the Congress of this country are elected by the citizens of this country. I happen to believe in democracy. So to suggest that we should not be managing the labs because some people think it's wrong is to suggest that we should substitute the opinion of those people for the democratic system, our representative form of government.

Q: But after the board's switch on divestment, the University continues to exist—

A: But in that case I voted against it. I don't see it as analogous—these are different issues. I voted no on divestment. If the issue of the labs came up, and we were asked to vote on it—to keep them, even though the federal government wanted to take them away—I'd vote for them to be taken away.

Q: But if someone suggested a vote to sever our ties with the labs?

A: Oh, I would not vote to sever our ties. Because of what I have said.

Q: I don't think I'm going to get very far with you on this.

A: [Laughs.]

Q: I'll switch gears. With the recent, and surprising, surge in enrollment throughout the UC system, are there plans to add a campus?

A: We're really asking three questions. First, can we accommodate 30,000 new students by the year 2000 on our existing campuses? Yes, if you accept certain assumptions. Namely, that Davis will grow, Santa Cruz will grow, Santa Barbara will grow, and so forth. The next question is: *Should we accommodate this growth on the existing campuses?* We're in the process of getting the answer to that. And the third question is: *What should be the ultimate size of these campuses?* Once we have the answers to these three questions, we'll be in a position to answer your question about additional campuses.

Q: When will you know?

A: Sometime this year, I think.

Q: How is Berkeley regarded in the UC system?

A: The Berkeley campus is perceived by the international community as being the University of California's most distinguished campus.

Q: Is it not?

A: And it is. But other campuses are pressing it. UCLA is pushing hard. San Diego is pushing. And Irvine. And that's all good.

Berkeley has the reputation that it has earned and the esteem that it deserves. Now the worst thing we can do is to assume that that's all there is to it. That merely stating that fact is sufficient to assure that 15 years from now we'll be able to say the same thing. Complacency can be deadly. I am, therefore, interested in how the Berkeley campus plans to sustain its reputation.

Q: What form does your interest take?

A: Well, I try not to direct the Berkeley campus any more than I try to direct any other campus of the University of California. So I ask questions: How are you planning to stretch the recruitment of the 50 percent of your faculty by the year 2000 with persons of equal promise and regard?

My job is to ask such questions and to assess the responsiveness of the answers, to monitor the performance of the campus in ways that will allow one to determine whether it's meeting its goals or not.

Q: Is the systemwide office going to move away from Berkeley?

A: We don't know whether we will or not; we are exploring our options.

We have a number of problems where we are. First, we're in seven different buildings scattered throughout Berkeley. And then there is the confusion in the minds of people concerning the role of the chancellor of the Berkeley campus and the president of the University.

Q: Berkeley's not big enough for the two of you?

A: That's not it at all. The problem is, if people have a complaint on the Berkeley campus, they should discuss it with the chancellor of that campus, just as they would at UCLA or San Diego. They wouldn't think of discussing it with me, because I'm not in the vicinity. But we are here, and there's a tendency to jump the Berkeley administration and come straight here.

Q: You're not trying to avoid protestors?

A: There's no escaping them. Besides, I'm used to that experience.

Because I'm here, Berkeley tends to think that it's disadvantaged. And every other campus thinks that Berkeley is advantaged. Neither is true.

Now, these may not be reasons sufficient to prompt a move. But they're sufficient to prompt an examination of our options.

Q: When will you decide?

A: I'd say by early spring.

Q: If the budget has been dealt with, and general morale is much improved, what are other large problems you saw when you came here?

A: The third thing was to try to reopen communication with the people of the state. So, instead of turning away invitations to speak, I've been accepting them. I've been working hard at this. We can never forget that we are a creature of the people of the state of California; and we need to tell them what we're doing, and to hear from them what they think we're doing well and what we're doing poorly. That was the third thing I wanted to do.

Now, if all of that had been in place when I got here, then I would be doing my first year what I'm now doing my fourth year.

Q: Which is?

A: Doing what I can to improve in general the teaching and programs we offer our undergraduate students. And I would have had a more comprehensive affirmative action program in place in '83. Thirdly, I would have dramatically increased the number of our students who are studying abroad, especially in the Pacific Rim countries.

Q: At age 40 you became president of the University of Utah; at 50, you became president of the University of California; what will you be doing at 60?

A: I really have no idea. This is not an undemanding job, and I think I would stay in it only as long as I felt that I was contributing more than I was holding the institution back.

It's perfectly true that in the life of any institution a particular kind of president is needed at one time, a different kind at another time. This is without regard to the qualities of any particular president.

Thus far, I think the fit's been quite good. I'm comfortable with the fit, I'll put it that way. That is, in my view what I have perceived the president of the University of California to be involved in is in many respects what I'm best at.





Alumnus of the Year David Gardner

THE LOGICAL POSITIVIST

By Catherine Maclay

W

hen David Gardner was a boy, he had no idea what he wanted to be when he grew up. "Absolutely no idea," he said firmly, leaning back in a low overstuffed chair in his office on the top floor of University Hall.

Later, when he was field and scholarship director for the California Alumni Association, sometimes traveling around the state with UC President Clark Kerr, Ph.D. '39, he still didn't know. He certainly had no plans to follow in Kerr's footsteps. "That would have been well beyond any perceived reach," Gardner said. "He seemed to be in a different

world."

That was in 1961, when Gardner was 28 years old. He was married, had served in the Army in Korea (as a spy), and had worked two years for the California Farm Bureau. He was not, it would seem, terribly ambitious. "I never felt a compelling need to make a lot of money," Gardner said, "but I felt a need to be comfortable. I wanted to do something that would interest me, and I had always enjoyed the intellectual life, the culture of the university. I thought it would be a good environment for my family." And so, remembering his own boyhood in Berkeley,

where he was born and raised, and where he often roamed the campus, exploring the museums and the libraries and attending concerts and lectures (even before he started high school, Gardner liked to sit in on lectures on public policy), he decided on an academic career. Passing up offers from friends to go into business, he returned instead to Cal to begin a Ph.D. in higher education. He had received a B.A. in political science from Brigham Young University in 1955 and an M.A. in political science from Berkeley in 1959.

Although, by his own reckoning, Gardner may be slow to make up his mind, once he does so he moves ahead with impressive speed and effectiveness. Just six years later, when the social and political climate on college campuses had taken a turn that no one could have foreseen, and the Board of Regents, in an effort to restore order at the University of California, fired Clark Kerr, Gardner was assistant chancellor at UC Santa Barbara, on his way up a job ladder that would lead him directly into Kerr's old office in University Hall, as president of the University of California.

In the years between, he went from assistant chancellor to vice chancellor at UC Santa Barbara, was vice president of the University of California for two years (1971-73), and president of the University of Utah for ten. David Gardner has been back in town, as UC president, for five years now. This month, the California Alumni Association gave him its highest honor, naming him *Alumnus of the Year* for 1988.

David Gardner's office is about the size of a large studio apartment. From his desk, he can look to his left and see the Berkeley campus as it spreads out from Oxford Street and up into the East Bay hills, where, on this particular day, it disappears into the fog. It is an impressive vista, but, of course, only a portion of the domain that Gardner now surveys. The nine-campus University has, in round numbers, 117,000 undergraduate students, 28,000 graduate students, 110,000 employees, and an annual expenditure of more than \$6.6 billion (which would place it 58th among corporations listed in the *Fortune* 500). It is one of the largest public universities in the world.

And few would dispute the fact that David Gardner has, in the past five years, rescued the University of California from a decline that threatened to erode its excellence. Gardner, not surprisingly, agrees. "We were on a downhill slippery slope," he said. "Without changes we wouldn't just have drifted down. We'd have really dropped off."

In an interview that took place in his office last month, Gardner listened intently, answered all questions conscientiously, and, though visibly tired at the end of a long day and a crucial decision-making period in his administration, never betrayed the fact that he had anything on his mind except the conversation at hand. Despite Gardner's heavy schedule, it is the rare interviewer who can catch him stealing a glance at his watch. He considers his role as communicator an essential part of his office, and he makes himself available to the press.

And yet, people call him aloof, elusive, mysterious, unreadable. "I might be enigmatic," Gardner concedes, "but I don't think I'm elusive." His wife of 30 years, the former Elizabeth Fuhrman, agrees. "I think Dave is very straightforward." And Gardner protests the charge that he is aloof. "I like people. I'm a friendly person

Use it not I who withdraw, but others who withdraw from me. . . . It would happen to anyone in this position. I don't see myself any differently than I ever did. It's a bit odd, actually."

The charges of distance and inscrutability come, no doubt, from the fact that, in an age when personality looms large in our perceptions of public figures, David Gardner has no apparent interest in revealing his; and at a time when most people feel obligated to air their private views and express their feelings, Gardner has no such inclinations. Not even his close associates know anything about Gardner's political leanings. "I'm not ideological," he says. "On some issues I'm considered a conservative, on some issues I'm considered a liberal. I'm a highly rational person."

The fact that Gardner is a Mormon has added to the mystery, raising speculation early in his administration about how a member of a church that opposed the Equal Rights Amendment and until 1978 prevented blacks from entering its priesthood might stand on such issues as women's rights and equal opportunity at the University of California. Gardner's recommendation of the appointments of two women as chancellors, and the continuing increase in underrepresented minorities among undergraduates has eased those fears, however. And he is adamant about his position on his religion and his job: "My job is a public trust. As president of a public, secular university, it is my responsibility to protect it and to nurture it and to sustain the basis upon which it rests. I am conscious of the need to subordinate any personal view to the common good I am obliged to seek in the position I am holding."

Yet Gardner never hesitates to go on record about what he thinks is best for the University—when, he says, the evidence is in and he has had a chance to weigh it. "I'm not as spontaneous a person as many," Gardner says. "I think things through very carefully. I set out to make the decision that is strategically the most wise and prudent one—which is not always the one that is most immediately popular. I'm not very concerned about being popular. I think its more important to be respected. And I'm not one to be politically coerced. I'm not one to read the tea leaves at the Board of Regents and then blow with the wind."

Gardner's methods have proved highly effective with the California Legislature in particular. In 1983, when he left the University of Utah, after guiding it through a period of unprecedented growth, he faced a legislature in Sacramento that hadn't been friendly to the University of California since the student unrest of the late '60s and early '70s. And, at a time when the usual annual operating increase for the University was about 3 percent, he asked for a 31-percent increase—a request which many thought put Gardner in a position to fail, miserably, even before he got started. Instead, he amazed observers by getting nearly everything he asked for, and he did it in typical Gardner fashion, by being reasonable, polite, and, as he himself puts it, very well-informed about "the long-term needs of the state and the ways in which the University of California can best serve these needs." It was a running start, and the momentum has continued. Altogether, in the five years since Gardner took office, the systemwide budget has increased 60 percent.

This success quickly won Gardner a reputation as a politician and diplomat, one of the things that he is proudest of having accomplished since taking office. "Without it," he says, "nothing else

could have been done. We could have made any difference." Gardner also points with pride to the increased enrollment of minority students during his tenure and what he calls the "internationalization of the curriculum"—preparing students for a global rather than domestic economy through the establishment of the Graduate School of International Relations and Pacific Studies at UC San Diego and the development of "education abroad" programs throughout the Pacific Rim. "For Californians," Gardner says, "this part of the world is not the Far East, it is our near west. We need to help our young people prepare for full participation in this arena, which will be of growing and strategic significance economically, culturally, politically, and militarily."

In addition to looking "west," Gardner has been taking a hard look into the future, which has led to a recent proposal to add three additional campuses to the University by the end of the century. The proposal, made in October and approved at a Board of Regents meeting last month, startled Californians, who had been busy speculating on the location of a single new campus. How did Gardner decide on such a bold move, particularly after last year's revenue shortfall had prompted such money-saving measures as delayed cost of living increases for faculty and staff?

"Logic," Gardner answered. "It was quite straightforward, actually. If you accept our assumptions, you will accept the outcome." Gardner, who has a well-deserved reputation for speaking in complete paragraphs and for being an able number-cruncher, put it this way: "Our estimate is that 63,000 additional students will be enrolled in the year 2005. We have nine campuses. How much can they grow? We asked the chancellors these questions. Two-thirds of those 63,000 students can be accommodated on the existing campuses, and that leaves 20,000. Then you calculate the demand line against the capacity line and the lines cross in the year 1999, which tells you that you are either turning away students or you are adding more students to existing campuses than you think is wise—no campus should accommodate a growth rate of more than 800 to 1,000 new students per year—or you are adding campuses. My view is that we should be adding campuses."

As a part of his proposal, all the existing campuses would expand except Berkeley, which would have 1,200 fewer students. Would such a reduction affect Berkeley's status, or reduce its position within the UC system? Gardner says no. "Berkeley's prestige was never a function of its enrollment. It's a function of its faculty, its libraries, the adequacy of its resources, its labs." Gardner added that while he proposes a reduction of 2,000 in undergraduate enrollment, he plans an increase of 800 in graduate student enrollment. Because more money is allotted per graduate student than per undergraduate, the resource base of the campus would remain the same.

As for its stature within the UC system, Gardner says: "If Berkeley is exacting, if it is committed to maintaining its premier position, if it takes nothing for granted, there's nothing that should prevent it from being an even stronger institution in the year 2000 than it is today. That would be my desire. It will be hard pressed, however, by some other UC campuses that are aggressive and competitive—and located in parts of the state where resources are more plentiful and where population and political power are gravitating. UCLA, Irvine, and San Diego, for example."

When Gardner looks back over his career thus far, from his days at Alumni House—when he was, ironically, in charge of handling all the arrangements attending the very award he has been selected for, the *Alumnus of the Year*—to his years in Santa Barbara and Salt Lake City, he is quick to point out that he was able to do what he did because he got "a lot of help along the way." Richard E. Erickson '49, executive director of the Alumni Association and Gardner's boss when he worked here, let him arrange his schedule so that he could attend classes and begin work for his Ph.D. At Santa Barbara, Gardner credits former chancellor Vernon Cheadle with doing the same, making it possible for him to write his dissertation while holding the posts of assistant to the chancellor and assistant professor of higher education. But when asked to name a mentor, Gardner points to Clark Kerr. "He was always there when I needed advice," Gardner said, "always willing to offer it, never presuming, always wise."

When Clark Kerr was fired by the Board of Regents, Gardner must have taken note of the fact that overseeing the University of California can be a thankless task. "Oh, I was dismayed," he said, recalling that event. "Here was the first chancellor of the Berkeley campus, who rendered tremendous service during those years and then came into the presidency following Robert Gordon Sproul, the most popular president in the history of the University; and taking on the burden of planning for the doubling of enrollment in a short, ten-year period—and did so brilliantly, while framing the California Master Plan for Higher Education, which has been the basis of higher education in this state for over 25 years. He had a truly brilliant record, recognized as such all over the world. And then for him to be confronting a set of problems in the University that were at least as much a reflection of discontent within the society as a whole as they were of anything occurring within the University of California, and to be expected to deal with that in ways satisfying to the disparate views of all interested observers—that was both an expectation and a demand that no human being could possibly hope to satisfy. It seemed to me that that should have been obvious to people, and the fact that it wasn't was very disappointing to me. The University paid quite a price for it, in morale and in public perception both by the citizens of California and the academic community worldwide."

President Gardner, serving in quieter times, has not been subject to the kinds of difficulties Clark Kerr faced twenty years ago, but he has faced criticism, particularly over the issue of whether to divest the University of California of its financial holdings in companies doing business in South Africa. Gardner, greatly outnumbered, voted against divestment. And while he refuses to criticize the Board of Regents' decision, he is, he says, deeply offended by what he saw as an intolerance for opposing views that was exhibited during this controversy. "I was the object of very considerable hostility. But I was not personally offended. People are quite welcome to disagree with me. I was offended because I thought reason was being subordinated to the politics of it. It was a bumper-sticker issue with more sloganeering than reasoning, and a peculiarly high level of intolerance for opinions that were inconsistent with those advocating divestment. I was asked to meet with a group of

(Continued on page 13)

faculty members during the divestment debate, which I was pleased to do, and I insisted on knowing what my views on divestment were, so I told them. The one thing I knew I was being attacked for in my views. I said, "Excuse me. I thought I understood the question to be what are my views on divestment. I shared those with you. I'm not asking you to agree with me."

It seems that every issue is susceptible to being politicized," Gardner continued. "The level of civil discourse has deteriorated, and there is a regrettable willingness to witness the suppressing of ideas by those who are so assured of the correctness of their position that they cannot tolerate hearing another. And I think universities have an especially compelling role to play in seeing to it that ideas can be freely expressed."

Gardner arrived at his post extraordinarily well armed to withstand its unique pressures. He credits, among other things, his experience as a spy in Korea. "I was in an undercover role for a year and a half. It was very dangerous. Several men in our unit did not come back. I'm very glad to be here," Gardner said. "I learned to cope with very adverse circumstances. One develops a capacity."

Gardner acknowledges that another aspect of his life that has helped him to withstand the pressures and criticism that come with his job is his Mormon faith. "It's given me a sense of self-identity; a level of personal comfort with myself. I find very helpful when I'm under attack." It has also given him, he says, an appreciation of what it is like to be a member of a minority. "I've experienced outright prejudice on more than one occasion. I still do. And the press tends to write about it in a way that suggests that we're a rather peculiar bunch of people," he says with a laugh, adding, "Well, look, some of my best friends are Mormons. I don't feel defensive about it, and I don't feel I have to be explaining it all the time."

Being a Mormon often means having strong ties to the state of Utah, and Gardner is no exception. As a boy, he spent summers working on ranches and farms owned by relatives in Utah, and he left Berkeley after one undergraduate semester to attend a Mormon college there. Before he assumed his current post, he and his family spent ten years in Salt Lake City during his presidency of the University of Utah. Gardner finds that Utah and California are "like two different worlds, but interestingly enough—and for reasons that are not altogether clear to me—I'm frequently comfortable in both places, and I'm the same person. Some people find that inexplicable."

One could speculate that the reason David Gardner can travel with relative ease between these different worlds, and operate effectively in each, is that he identifies with him a small universe of his own. "I would not sacrifice my personal life for any professional life," he says. By personal life, Gardner means his wife and children. He and Libby Fuhrman met in a parking lot in Oakland, where they were both eating bag lunches outside the wholesale merchandising business where he worked, he in the warehouse and she in the office, during summer vacation from college. "We didn't start dating right away," Libby Gardner recalled. "I was 19 at the time. Later, I was still in

school and Dave was in the Army, and we wrote to each other."

The Gardners were married in 1958 and have four daughters, ranging in age from 19 to 28. Having daughters, Gardner says, has given him a keen appreciation of the difficulties facing women today. "With the additional set of opportunities for women, there has been no corresponding reduction in the burdens that society places on them. And so I find that more is expected of women than any human being can reasonably be expected to carry. I have a great deal of empathy and respect for the circumstances of the modern woman. I really do."

Gardner also believes that "today's children tend to be looked after less than I think they need to be. I think there's a certain ruthlessness about our way of life. So I have trouble with some of our trends in the larger society. At the same time I continue to be astonished at the personal courage people exhibit in their everyday lives."

In his own life, family considerations have always come first. When the Board of Regents first telephoned him early in 1983 with the offer of the presidency, Gardner told them he would give them his answer after a very important meeting. It was a family meeting that lasted well into the night, in which the difficulties of leaving behind friends and going to new schools were considered. "I don't believe that any success outside the home compensates for failure within it," Gardner said. "When I'm not working or socializing—and for me, my professional life and my social life are inseparable—I'm with my family. We have a place in Montana that we go to every summer. I don't go out and play golf. I spend time with the family. We do things together."

And, Gardner is quick to add, his professional life would not be possible without the support of his wife, who devotes approximately 30 hours a week to her role as the University's first lady, acting as hostess, traveling with him, and running Blake House, the presidential residence in Kensington where, although the Gardners have chosen to live in Orinda to preserve their privacy, they do most of their socializing.

Gardner, who is 55, has given no thought yet to retirement. "I take things a year at a time," he says. Someday, when he has time, he would like to write a book about the student movement of the '60s and '70s. "Most of the story, including the Free Speech Movement, has never been written up adequately. If I had a year off I could write a bestseller. I still have most of the records."

In the meantime, there is work to be done at the University of California. In the next 12 years, 50 percent of the faculty will retire. Gardner sees it as essential to replace these faculty members—most of whom are white males—with a faculty that reflects, in its gender and race, the student body of the University. "The greatest task ahead," says Gardner, "is to help the state through this transition over the next several years from one that has been preponderately white to one that will be overwhelming multi-racial. We need to educate a higher and higher proportion of black, Hispanic, and Native American students without any diminution of our commitment to white students. The only way to do that is to grow."

Without changes, Gardner says, "We're either going to continue with the kind of just-below-the-surface tension that we currently have, among and between various racial and ethnic groups, or we'll have a more exacerbated set of relationships."

What he hopes for instead, he says, is

"a coming to terms, especially among students, with the realities of a multi-cultural and multi-racial society, so that when students finish their work here their understanding of and appreciation for differences will not be a hindrance but a help to the further growth and

development of our state. Our job is to make sure that this third option is the most likely outcome, because there is nothing inevitable about it. It's a difficult challenge."

And David Gardner has never been one to turn away from a challenge. **C**

The Gardners:

An Uncommon Partnership

The following is a story from the Los Angeles Times, published after President Gardner announced his resignation.

By Laurie Hecklund

Standing on the cold and wind-swept rim of the Mauna Kea volcano recently, University of California President David Gardner witnessed the dedication of a dream he had helped realize: the Keck Telescope, an astronomical tool so powerful that it may shed light on the origins of the universe.

As mirrors shifted soundlessly inside the immense orb on Nov. 7, Gardner felt alone amid a crowd of dignitaries and their spouses. Nine months before, for reasons even a man of his faith could not explain, his wife and partner, Libby had been taken from him, the victim at 55 of an obscure bone cancer. Each function like this one seemed not to relieve, but to reinforce, his loss.

Back at the hotel after the ceremonies were over, alone and sick in bed with the flu, he penned his resignation.

"This letter is one not easily written, for it relies on mere words to convey feelings that reach far deeper than words can express, and that arise from principles of life that are more complex than I am able adequately to share or even fully to comprehend," he wrote.

"... It has become clearer with each passing month since Libby's death that without her I cannot remain as President of the University of California. I intend, therefore, to step down ..."

There, on a sheet of hotel stationery, was a modern-day abdication for love of a woman.

In an age where politicians' careers are truncated by mistresses and evangelists are brought to their knees by prostitutes, David Gardner had relinquished one of the nation's most prestigious academic posts because of a

"This letter is one not easily written, for it relies on mere words to convey feelings that reach far deeper than words can express, and that arise from principles of life that are more complex than I am able adequately to share or even fully to comprehend."

woman he had been married to for 32 years.

When his resignation becomes effective next October, Gardner will give up leadership of a prestigious nine-campus public university system with a \$6.4-billion budget, 20 Nobel laureates, and some of the most important research laboratories in the world. His \$243,500 salary makes him the most highly paid state employee in California.

A man of immaculate diction, a keen observer of himself and those around him, Gardner is a most private public servant who spurned the UC presidential mansion for a private home that few associates have ever visited. In a rare personal interview last Friday, hours after he announced he will retire next October, Libby was foremost on his mind.

"Libby was a highly intelligent, very practical, exceedingly well-organized, loving person who chose to devote her life principally to her family and to the two of us working together," he said. "I am keenly aware there are people who have strong views about feminism, who will not find favor with some of the observations I make about her role. What I wish to emphasize is, that is the role she chose to play."

Theirs was a quiet love story contained largely within the borders of a traditional marriage. He was the husband and father, the wage-earner and public figure. She was the wife and mother who raised four daughters but always managed to be at his side at the university's numerous social and academic functions, a quiet but dignified hostess.

Married in 1958, they were strong Mormons whose religion provided a solid foundation in which there were never arguments about values, Gardner said. But religion alone did not make their marriage unique.

"I definitely think there was something extraordinary about their marriage," said Lisa Gardner, one of four daughters. "I don't think I've ever seen any marriage of my friends' parents that was quite the same."

Gardner's Presidency

- 1983 *Appointed president of UC.*
- 1984 *Convinced Gov. George Deukmejian to approve a 30 percent increase in UC's state budget, ending years of decline in state support.*
Established the President's Fellowship Program, believed to be the largest of its kind sponsored by a major university. The program offers more than \$1 million in postdoctoral fellowships for minority and women scholars.
- 1985 *Forged a partnership with the California Institute of Technology to build the world's largest telescope, the W. M. Keck Observatory in Hawaii, which will be completed next year.*
- 1986 *Supported the establishment of the Graduate School of International Relations and Pacific Studies at UC San Diego, the first of its kind to concentrate on the importance of the Pacific Rim.*
- 1987 *Personally shepherded an initiative to enhance research and teaching in the humanities, which featured the establishment of a universitywide Humanities Institute at UC Irvine.*
Appointed the first women chancellors of UC campuses: Rosemary S. J. Schraer, chancellor of UC Riverside, and Barbara S. Uehling, chancellor of UC Santa Barbara.
- 1988 *Launched planning for up to three new campuses to meet the state's growing college enrollment demands.*
Named chairman of the Business-Higher Education Forum, a national organization of industry and education leaders.
- 1989 *Established a student-faculty exchange program with Leningrad State University, as part of UC's Education Abroad Program, the second such program in the world with the Soviet Union.*
- 1990 *Appointed the first Asian-American chancellor of a major U.S. campus, Chang-Lin Tien at Berkeley.*
- 1991 *Announced his resignation, effective October 1992, after eight years in which he oversaw student enrollment grow by 25,500 students to 166,500.*



President Gardner and his wife Libby, who died in February.

"Some of the people on the team, a partnership."

A blond, blue-eyed former dental hygienist who inherited what Gardner described as a "Swiss practicality," she was the sort of woman who cut maxims out of newspapers and put them on the refrigerator for her family to live by.

During his 10-year tenure as president of the University of Utah, she quietly disagreed with the Mormon Church's position opposing the Equal Rights Amendment that would have assured women equality, he said. But he said, she expressed her views only if asked — even her daughter Lisa said she never knew her mother held that view.

Before coming to California in 1983, Gardner said, they discussed the job and decided to take it on "together, as a partnership." He made clear to the Board of Regents that he would spend Sundays with his wife and four daughters.

At night, as he dried the dishes that his wife washed, David Gardner would talk to her about the issues facing him, advising him on everything from expanding the university system to divesting financial interests in South Africa.

A modest woman who sometimes impressed strangers as proper to the point of primness, Libby Gardner mostly made the sort of contributions that are expected of wives — greeting dignitaries, hosting social events, giving tours.

"Her life was rather consistent with the role played by large numbers of women in the American university and college — for which almost no consideration is given, to which very little attention is paid, and for which very little credit is afforded," Gardner said.

Yet, he stressed, his wife's rapport with spouses of dignitaries and donors made a concrete difference to the university. When Libby struck up a warm relationship with spouses of key donors to a medical center, he said, the difference was measurable at the bank as part of the \$425 million given to the UC system each year by private sources.

In 1987, when the 10 wives (Libby Gardner and the spouses of the chancellors of the nine UC campuses) asked for such simple things as campus library cards, insurance when they traveled with their husbands to required events, and telephone listings in the campus phone book, Gardner encouraged the Regents to offer the spouses such rights and titles as well. Libby Gardner became the "associate of the president."

A year ago this month, his associate was diagnosed with multiple myeloma, a cancer of the bone marrow complicated by a rare form of protein poisoning — a fate that Gardner said she accepted calmly.

When she died Feb. 5, UC publicists issued an obituary calling Libby his "wife." Gardner reworded the obituary, referring to himself as "her husband." "All of our life, I was the one who was out front," he said. "This time, I wanted to turn it around."

At her funeral, Gardner had students sing a song written by Larry Henley and Jeff Silbar.

Did you ever know that you're my hero?

Everything I would like to be

I could fly higher than an eagle.

But you were the wind beneath my wings

Fighting an impulse to quit, Gardner returned to work a week after she died. The university was raising fees 40 percent and facing severe budget problems. Still, he found himself drifting off, reaching to pick up the telephone to call her.

Her death did not shake his belief in the eternal nature of the soul or his adherence to Mormon belief that they eventually will be reunited. But he couldn't understand why she had died and others who abused their bodies and gave nothing back to society lived on.

"Some people would say, well, they must need her more over there than over here," he said, "and I thought to myself, well, her four daughters could have used her here."

He felt himself coming alive again on a lengthy trip to Asia — only to be crushed when he returned to an empty home.

Every ceremony, every football game and campus concert they had enjoyed together became a burden alone. When Gardner waited for the arrival of German Chancellor Helmut Kohl in September, he stood alone at the head of the driveway, in a familiar place without his partner at his side. While he could feel himself slowly healing, every part of his job only reminded him his loss. He didn't know what he would do next, only that it had to be something entirely new.

"Some of the spark is out of it, you see," he said, clearing his throat in an office decorated in UC blue. "When you've done it as a team, a partnership, and that partnership dissolves, it's not the same as it was, and never will be."

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THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

September 18, 1992

The Regents of the University of California met on the above date at UCSF - Laurel Heights, San Francisco.

Present: Regents Bagley, Brophy, Brown, Burgener, Burke, Campbell, Davies, Gardner, Gonzales, Hall, Hallisey, Khachigian, Kolligian, McCarthy, Nakashima, Stoney, Watkins, Wong, and Yeager (19)

In attendance: Regents-designate Murphy and Shults, Faculty Representatives Binder and Brownlee, Secretary Smotony, General Counsel Holst, Treasurer Gordon, Senior Vice Presidents Brady and Schwartz, Vice Presidents Baker, Farrell, and Hopper, Chancellors Atkinson, Hullar, Orbach, Peltason, Pister, Tien, Uehling, and Young, Senior Vice Chancellor Ramsay representing Chancellor Krevans, and Recording Secretary Nietfeld

The meeting convened in Closed Session at 9:05 a.m. with Chairman Khachigian presiding.

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The Board went into Open Session at 9:20 a.m.

1. APPROVAL OF MINUTES OF PREVIOUS MEETING

Upon motion of Regent Brophy, duly seconded, the minutes of the July 17, 1992 meeting were approved as submitted.

2. INTRODUCTION OF FACULTY REPRESENTATIVE BINDER

Faculty Representative Brownlee introduced Professor Arnold Binder, Vice Chairman of the Academic Council and new Faculty Representative to the Board.

3. REPORT OF THE PRESIDENT CONCERNING UNIVERSITY ACTIVITIES AND INDIVIDUALS

President Gardner presented the report concerning University activities and individuals. Then, upon motion of Regent Campbell, duly seconded, the President's report was accepted, and it was directed that notes of thanks be sent to the donors of the gifts mentioned in the report, that congratulations be extended to those faculty and staff members who have been awarded honors, and that notes of sympathy and regret be sent to the families of those whose deaths were reported.

[The Report was mailed to all Regents in advance of the meeting, and a copy is on file in the Office of the Secretary.]

4. RESOLUTION IN APPRECIATION - DAVID PIERPONT GARDNER

Upon motion duly made and seconded, the following Resolution was adopted:

WHEREAS, on October 1, 1992, David Pierpont Gardner will have completed more than nine years of faithful and dedicated service as the fifteenth President of the University of California, a period which saw the institution grow in size and international stature and enjoy enhanced distinction as the world's finest public university; and

WHEREAS, his service as President has been the capstone to a remarkable twenty-four-year affiliation with the University of California, initially as a graduate student at the UC Berkeley campus, from which he earned both master's and Ph.D. degrees, and then through various administrative roles, including Director of the California Alumni Association, Vice Chancellor and faculty member at UC Santa Barbara, and Vice President for Extended University and University Extension in the Office of the President, in each of which he exhibited consummate skill, leadership, and devotion to his work; and

WHEREAS, when he returned to UC in 1983, after a distinguished decade of service as President of the University of Utah, he catalyzed a dramatic recovery in state and public support of the University, resulting in an era marked by rapid enrollment growth, a significant upturn in private support and federally sponsored research, and more building construction than at any other time in the University's history; and

WHEREAS, his abiding concern for educational quality, particularly at the undergraduate level, manifested itself in several historic University efforts which greatly benefited the cause of liberal education and reflected his continuing commitment to improving the educational experience of America's young people, first expressed nationally when he served as chairman of the National Commission on Excellence in Education and authored "A Nation at Risk," a groundbreaking report that helped launch a national effort to improve schooling in America; and

WHEREAS, David Gardner's record of scholarship and educational achievement has been recognized by his selection as a member of the National Academy of Education and the American Philosophical Society, as a fellow of the National Academy of Arts and Sciences, as an Associate of

Clare Hall, Cambridge University, as a Fulbright Distinguished Fellow, and as Cal's 1988 Alumnus of the Year; and

WHEREAS, under his leadership, the University forged new ties of scholarship, research, and educational exchange between the University of California and institutions of higher learning throughout the world, and especially with the nations of the Pacific Rim, while at the same time greatly expanding the diversity of the University of California community itself; and

WHEREAS, through all the challenges that have faced the University during his tenure, he has staunchly fought to preserve the University's excellence above all else, addressing every question strategically and analytically and displaying an eloquence in discourse and clarity of thought that illuminated the most difficult and complex of issues, seeking in all possible instances consensus and compromise through the generous application of warmth, grace, and reason;

NOW, THEREFORE, BE IT RESOLVED that The Regents express to David Pierpont Gardner their deepest appreciation for his heartfelt commitment to the University of California, as well as their warm gratitude for the many contributions of his late wife, Libby, whose dedication to the University was equal to his own;

AND BE IT FURTHER RESOLVED that a suitably inscribed copy of this resolution be given to David Pierpont Gardner as a symbol of the Board's admiration for his vigorous leadership of the University during nine challenging years and as an expression of the Board's enduring regard, respect, and esteem.

President Gardner then made the following statement:

Next month marks another transition in the history of the University of California: the sixteenth time the University has asked a new president to help sustain and contribute to the building and further development of this renowned institution. The approach of that event prompts me to reflect upon the nine years I served as the University's fifteenth President; and in the time you customarily reserve for outgoing officers of the University to comment, I wish to share these reflections with you, beginning with a brief quotation from my inaugural address in April of 1984:

Universities exist for many purposes and they serve many ends. One of those purposes is to remind us of what has lasting value, of what endures beneath the currents and eddies of everyday life ... English

history illuminates the point. I draw from J. R. Green's Short History of the English People. The year is 1648. In that year we are in the midst of the Puritan Revolution, of civil war in England, and we read of the outbreak of the Royalist revolt in February, the revolt of The Fleet and of Kent in May, of the campaigns of Fairfax and Cromwell in Essex and Wales in June and July, of the Battle of Preston and the surrender of Colchester in August, and of Pride's purge in December. And at the end of a gloomy, bloody recital, we come to this entry in italics: Royal Society begins at Oxford.

A useful lesson may be drawn from that vivid slice of history as we take note of our current troubles and difficulties: We need to look not only at the immediate problems facing us but also at the opportunities that are ours to seize, and we need to take the longer, not the shorter view of things. This morning, however, I prefer to talk about the steps that have moved us forward as a university and a community of learning over the course of the last nine years.

Since 1983, UC has grown from 141,000 to 166,000 students, and in doing so the University honored its commitment to find a place for every UC-eligible high school and community college graduate wishing to enroll. While we have not always been able to offer such students campus of first choice or major of preference, we have always found a place for them at one of the University's eight general campuses. This has been no small accomplishment given the unexpected and nearly unprecedented demand for enrollment that we confronted during this time and the acute fiscal problems we have faced since 1990.

The University made dramatic--almost revolutionary--strides in increasing the racial and ethnic diversity of our student body, especially at the undergraduate level, where a 50 percent increase in minority enrollments occurred; and I take special pride in the fact that we accomplished this while also dramatically improving, on average, the academic quality of our student body. In 1983, the grade-point average for all enrolled, regularly admitted freshmen was 3.6; in 1991 it was 3.8. While many factors contributed to this progress, much of it is traceable to the University's own efforts in working collaboratively with the public schools during the past nine years to improve the quality of teaching and learning in K-12. For example, UC expanded substantially its early outreach programs, professional development programs for teachers, and educational research. One should note, however, that these efforts need to be sustained or we shall, at least in the short term, regress.

We have also put into place a variety of programs to encourage and assist exceptionally promising women and minority scholars to enter the academic profession. One of these, the President's Fellowship Program, is designed to improve the competitiveness of women and racial and ethnic minority Ph.D. recipients for faculty appointments at UC and other leading universities. Since the program began in 1985, 124 talented women and minority scholars have received these fellowships, and many of them are serving on UC's faculty.

We developed a comprehensive and strategic long-term plan for the further growth and development of UC, on the assumption that California will want the University to grow with the state and continue to make eligible the top 12-1/2 percent of California high school graduates. This plan, which as you will recall was submitted to the Board in October of 1988, anticipates growth of 60,000-70,000 students to the year 2005 and the construction of three new campuses during that time.

The most recent demographic data available suggest that these plans, far from being overly optimistic, in all likelihood underestimate the demand for a University of California education from UC-eligible Californians. And while the timetable for this growth will very likely have to be adjusted because of the state's current fiscal problems, I remain confident that we will one day see the establishment of three new campuses, for all the reasons set forth in 1988--unless, that is, the State chooses to abandon its historical commitment to provide access to UC for the state's most qualified and promising high school students and eligible community college transfers, as, I deeply regret, it appears slowly but surely to be doing.

The University's one millionth degree was awarded in 1990, and 312,414 students earned degrees from the University of California during the past nine years.

UC's operating budget made dramatic improvements beginning in 1983, thanks to a supportive legislature and governor. Since that time we recovered much that was lost in the late 1960s, 1970s, and early 1980s. However, we have been losing rather than gaining ground beginning with the 1989-1990 fiscal year, and I expect we will continue to do so for the next two to three years. For example, UC's share of the total State General Fund budget dropped from a high of 5.8 percent in 1986-87 to slightly under 4.7 percent in the 1992-93 budget. Looking at it from the other side of the coin, in 1960 the State paid for 60 percent of the University of California's annual operating budget. For 1992-93, State General Funds represent just 26.5

percent of our total budget, exclusive of the Department of Energy laboratories.

It is worth noting that while our shrinking share of the state's budget and the state's shrinking share of our budget are in part the result of diminishing state support, it is also a function of UC's having obtained funds from other sources at record levels--private gifts, federal contracts and grants, and of course, recent and significant increases in student fees and tuition. Although UC has a variety of fund sources, they are all earmarked monies. We rely on state funds to sustain our basic academic programs and to enhance our support from these other sources.

Capital funding from state sources has gone from \$16.5 million in 1983 to a 1992-93 total of \$240 million. We have built libraries, hospitals, laboratories, clinics, classrooms, residence halls, student unions, athletic and other facilities needful for our work. Including both state and nonstate sources, between 1983 and 1991 we expended \$4,308,000,000 on construction that is either completed or under way, the most building to occur during a comparable time in the University's history. I should note that less than half of this funding has come from the State; the rest derives from user-financed bond issues, student fees, private gifts, federal funds, and financing arrangements of one kind or another.

Annual federal contract and grant awards to the University more than doubled over the past nine years from \$500,930,000 in 1982-83 to more than a billion dollars in 1990-91, excluding the three UC-managed national laboratories. It should be noted that UC now performs roughly 11 percent of the federally sponsored basic research at our nation's universities.

Annual private support for the University increased from \$157 million in 1982-1983 to \$433 million in 1991-92. The total private support coming to the University during those nine years was \$3,109,616,845.

The University's overall budget, including the Department of Energy laboratories, grew from \$4.8 billion in 1983-84 to \$9.6 billion in 1992-93.

We have made significant efforts to strengthen and improve undergraduate education. I will mention three.

First, the most recent All-University Faculty Conference was devoted to the subject of undergraduate education, and we will be sending you the proceedings shortly, together with the accompanying recommendations.

Second, Chancellor Pister headed a major study of UC's reward system for faculty, producing a report in which the role and place of teaching in UC were re-evaluated and repositioned. I am convinced that the result will be to increase in tangible ways the attention to and rewards for teaching in the University, especially at the undergraduate level.

And third, last February I wrote to the Chancellors asking them, in concert with the faculty on their campuses, to increase the number of freshman and sophomore seminars, to reduce class size whenever possible, to increase undergraduate opportunities for research, and to increase the number of courses and sections so that students can make normal progress toward their degrees, and to do this within our existing instructional resources. The enthusiastic response received from the campuses, reported to you yesterday by Vice President Schwartz, is a tribute to the University's faculty and Chancellors, who have worked energetically and vigorously to seek ways of further improving the education offered by UC to one of the brightest cadres of undergraduate students to be found anywhere.

We broadened the range of the University's research to include more directly some of California's most pressing interests--K-12 education, for example, and California's place in the dynamic and growing Pacific Rim. Over 45 multicampus research units, centers, and programs have been established since 1983. One such research center is the universitywide Humanities Research Institute, established at UC Irvine in 1987, together with new faculty and graduate student fellowships, to enhance and encourage research in the humanistic disciplines. In partnership with Caltech, UC built the Keck Telescope and Observatory, the world's largest optical telescope, and is building a second one on the same site atop Mauna Kea in Hawaii. This accomplishment is of major moment in the history of science, and the University can be very proud of the role it has played in giving life to this endeavor.

We enhanced UC's already-established position as an international center of learning by increasing the opportunities for our students and faculty to study abroad. In 1982-83, UC students could study in one of 46 institutions, most of them in Western Europe; today they can choose from among 93 institutions in 30 countries, twelve of them in the Pacific Rim region. Since 1989, when we instituted a program of faculty exchanges with our EAP partner universities, 358 UC and foreign faculty have participated.

Major new research centers and institutes have been created to increase and improve our understanding of the world's major regions and their peoples and cultures, especially in Asia, Latin America, and Europe. UCLA's

Center for Pacific Rim Studies, UC Riverside's Institute for Mexico and the United States, UC San Diego's Institute on Global Conflict and Cooperation, and UC Berkeley's Center for German and European Studies, to mention just a few examples, have dramatically increased the opportunities UC students and scholars have to study these regions at home and abroad.

We added five new professional schools and colleges: the Graduate School of International Relations and Pacific Studies and the School of Architecture at UC San Diego; the College of Engineering at UC Riverside; the School of Environmental Science and Management at UC Santa Barbara; and the School of Social Ecology at UC Irvine. And a proposed college of engineering at UC Santa Cruz is under active consideration.

As I noted in the preface to the just-published book marking the University's 125th birthday, A Year in the Life of the University of California, the University now comprises nine campuses, five teaching hospitals and numerous clinics, more than 200 laboratories and research centers, more than 100 libraries holding the largest collection in the U.S. except for the Library of Congress, and a vast array of teaching, research, and public research programs. More than a quarter of a million people attend the University as students or work for it as faculty, administrators, and staff. Research ships from the Scripps Institution of Oceanography explore the world's oceans; astronomers from the Lick Observatory continue their pioneering research and those at the Keck Observatory will shortly deploy the world's largest optical telescope; archeologists uncover the past, layer by fascinating layer, with excavations in ancient lands. We graduate about 10 percent of all Ph.D.s in the United States every year, and more women and minority Ph.D.s than any other university. Our faculty includes more than 250 members of the National Academy of Sciences, about one-sixth of its membership. Through the years UC's faculty has won 29 Nobel Prizes, five of them coming during my service as President. Eighteen of these Nobel Laureates are currently active on the University's faculty.

The people of California are touched by their university, whether they know it or not, every day. Architects and engineers trained at UC design the buildings we live in and the roads and highways we travel. Graduates of our schools and colleges in the health sciences care for us when we are ill and discover the miracle drugs that give us hope in the fight against disease. UC's faculty educates talented young people in the high standards of commitment and performance essential to the quality of all of the learned professions, including a high percentage of those serving on the faculties of the nation's leading universities. California's oldest industry--agriculture--

has been revolutionized and its youngest--biotechnology--virtually created by research performed at the University of California.

The University is, in sum, the state's crowning jewel, the principal point of access for people of talent and ambition, the quiet force from which much of California's economic power and strength derive, one of the world's great intellectual treasure houses, the repository of much of our cultural heritage, a cauldron of discovery, a marketplace of ideas--in short, one of the greatest centers of learning the world has ever known.

I am proud of the University of California and all that it represents, and equally proud of its students, faculty, and staff, who are among the most dedicated and gifted individuals assembled anywhere. I feel honored to have had the opportunity to work with them and with the Regents, my administrative colleagues who work long and hard in this institution's service, the leaders of the Academic Senate, and the University's alumni and friends throughout the world. And as I come to the end of my tenure as President, I am proud of my quarter-century of service to this institution, of what I have been able to contribute and of what has been accomplished on my watch. The chance to have so served this great university has been one of life's great privileges, and Libby, who until a year-and-one-half ago was in partnership with me throughout this period of service, regarded it as a privilege as well.

Chairman Khachigian thanked President Gardner for his advice and friendship over the twenty-five years they have been acquainted and for the advice he had provided to her during her tenure as Chairman of the Board.

Regent Brophy requested that a copy of President Gardner's remarks be distributed to the Regents.

5. **REPORT OF THE COMMITTEE ON GROUNDS AND BUILDINGS**

A. *Amendment of the Budget for Capital Improvements and the Capital Improvement Program*

The Committee recommended, subject to the concurrence of the Committee on Finance, that the 1990-91 and 1992-93 Budgets for Capital Improvements and the 1990-93 and 1992-95 Capital Improvement Programs be amended as follows:

Change, May/June
1996

Rating PhD Programs

What the NRC Report Says ...and Doesn't Say

BY DAVID S. WEBSTER AND TAD SKINNER

"All these guys in the faculty lounge talk about is where we are ranked; if we could get this guy in our department or get that guy in our department, maybe we can be ranked 15th. Their aim in life is to be ranked 15th in the nation."

**A University of Illinois/Urbana-Champaign economics professor,
quoted by Charles J. Sykes in *ProfScam: Professors and the Demise of Higher Education***

With almost the regularity of the United States census and new postscripts to Clark Kerr's *Uses of the University*, academic quality rankings of PhD-granting programs in the arts, sciences, and engineering in American universities continue to appear about every 10 years. The American Council on Education's last ranking, Kenneth D. Roose and Charles J. Andersen's *A Rating of Graduate Programs*, was published in 1970, and the Conference Board of Associated Research Councils' five-volume *An Assessment of Research-Doctorate Programs in the United States* appeared in 1982 and early 1983. These were followed, last September, by the publication of *Research-Doctorate Programs in the United States: Continuity and Change*, a massive volume containing information collected by the National Research Council's Committee for the Study of Research-Doctorate Programs in the United States at the Conference Board's request.

The 1995 rating (hereafter called the *Report*) includes more of almost everything than did the 1982 rating (hereafter called the *Assessment*). It covers 41 disciplines, compared to 32 for the earlier one (up 28 percent); 274 institutions, compared to 228 (up 20 percent); 3,634 programs, compared to 2,699 (up 35 percent); and its reputational ratings are based on the judgments of 7,876 faculty members who returned usable ratings, compared to 5,019 (up 57 percent). It also cost much more to produce—some \$1.2 million, compared to about \$500,000 (up 140 percent).

David S. Webster is associate professor of educational administration and higher education, and Tad Skinner is a graduate student in education, at Oklahoma State University-Stillwater. The authors thank Brenda Brown, senior secretary at Oklahoma State University-Stillwater, for her outstanding work on this article, which included setting up many of the tables. The book containing the 1995 ratings is *Research-Doctorate Programs in the United States: Continuity and Change*, Marvin L. Goldberger, Brendan A. Maher, and Pamela Ebert Flattau, eds., Washington, DC: National Academy Press, 1995 (hardcover: \$59.95 prepaid, plus \$4 for shipping).

The most important change between the *Assessment* and the *Report* is that in 1982, tables displaying statistics for programs in each discipline were invariably arranged in alphabetical order by name of institution, not by rank order. That organizational scheme made it exceptionally difficult to determine how institutions rated in any discipline. The *Report*, on the other hand, arranges a great many numbers in the much more useful format of rank order, although the NRC Committee did not go off the deep end and lower itself to the point of publishing the actual numerical rankings—first, second, third, and so on—that any program held.

As always with academic quality rankings that contain both reputational ratings and objective data, the former—particularly the rating based on “Scholarly Quality of Program Faculty”—have attracted far more attention than any of the objective data. To arrive at its reputational ratings, the Committee asked faculty respondents to rate individual doctoral programs on a scale of 0 (“Not sufficient for doctoral education”) to 5 (“Distinguished”). It then discarded the two highest and lowest ratings for each program, and based each program's score on the responses only of “faculty from institutions that were from the upper half of all programs in this field in the overall Faculty Quality ratings.”

In addition to this reputational rating, the *Report* also included an enormous amount of data on other measures, as follows: two other reputational ratings (of “Program Effectiveness in Educating Research Scholars and Scientists” and “Change in Program Quality in the Last Five Years”); eight measures concerning faculty research ability, most of them relating to matters such as publications, citations, and awards and honors; two measures relating to doctoral students; and seven about recent PhD recipients, for a total of 20 measures. (For disciplines in the arts and humanities, the Committee used only two measures of faculty research prowess, rather than five as in other disciplines.)

Although the *Report* is much easier to understand than the utterly unfathomable *Assessment*, it is still anything but reader-friendly. More than 80 percent of its 740 pages consist of tables and figures. Its pages of text contain a

great deal of information about the study's design and a few discussions of its findings, but the chapter on findings covers only material about all the institutions included. It reports, for example only general findings, like “Top-rated programs in most fields tend to have a larger number of faculty and more graduate students than lower-rated programs,” and “The vast majority of research-doctorate programs included in the study had faculty who received some type of federal support for research between 1986 and 1992.”

The *Report* does not, however, contain so much as a word of discussion about what will interest many readers the most—how individual PhD programs' ratings changed from 1981, when the *Assessment*'s reputational ratings were compiled, to 1993, when the Committee conducted its reputational ratings. That is not all the *Report* leaves out. As Daniel Zalewski put it in a recent piece in *Lingua Franca*, “Its first 146 pages form a sort of how-not-to manual, in which the authors detail the hundreds of things the data don't reveal.”

FENTON'S CRITICISM

Allan M. Cartter's 1966 *An Assessment of Quality in Graduate Education* (hereafter, the *Cartter Report*) and Roose and Andersen's 1970 *Rating of Graduate Programs* both received some of their most incisive criticism not from social scientists but from the humanists quoted by W. Patrick Dolan in his bit denunciation of reputational rankings, *The Ranking Game: The Power of the Academic Elite* (1976). The ranking of Everett Carl Ladd, Jr., and Seymour Martin Lipset published in 1979 found its most acerbic critic not from among social scientists but rather from the world-class Yale mathematician and *fant terrible*, Serge Lang, in his one-a-kind book published in 1981, *The File: Case Study in Corruption* (1977/1979). Continuing the tradition of rankings' most provocative critics appearing from the most unpredictable places, the far the most trenchant criticism of the *Report* we have seen so far has come from one David W. Fenton, a graduate student in musicology at New York University now writing his doctoral dissertation on, of all things, “The Piano Quartet and Quintet in Vienna, 1780-1810.” All other critics of the *Report*

with whose work we are familiar play Salieri to this young expert on Mozart.

Working entirely from the *Report's* statistics for the discipline of music, he points out some serious problems with them, which he has indefatigably made available on the Internet in more than 100 single-spaced pages of his own criticism and others' responses to it. (It can be found at http://www.bway.net/~dfenton/nrc_report/nrcintro.html.)

Fenton's attack on the *Report's* data is devastating. He shows, for example, that there are enormous disparities between the numbers of faculty members teaching in many music PhD programs as listed in the *Report*, and the numbers as listed in the *Directory of Music Faculties in Colleges and Universities, U.S. and Canada, 1993-94* (hereafter, the *Directory*). For example, the *Report* lists Indiana University's School of Music as having only six faculty members who teach PhD students, while the *Directory* lists it as having at least 18. It lists 83 such faculty members for the University of North Texas' College of Music, while the *Directory* lists 15; 38 for Temple University, while the *Directory* lists 11; 74 for the University of Illinois at Urbana-Champaign, while the *Directory* lists 21; and 32 at the State University of New York at Stony Brook, while the *Directory* lists only 12.

What accounts for these (and many other) enormous discrepancies between the numbers listed in the *Report* and those in the *Directory*? According to Fenton, since the Committee's instructions to the Institutional Coordinators in charge of data collection at each institution listed clearly and without ambiguity exactly what it wanted, the coordinators—whose identity the National Research Council won't reveal—must have made a great many errors. In the case of Indiana University, which enrolls more music students, undergraduates and graduates combined, than any music school or department in the United States, he thinks the reason the *Report* listed only six faculty—less than 10 percent as many as it listed for either the University of North Texas or the University of Illinois at Urbana-Champaign—is because the *Report* counted only professors in music history and musicology and omitted those in music theory and analysis.

For Illinois at Urbana-Champaign,

**As always with
academic quality
rankings that contain
both reputational
ratings and
objective data,
the former have
attracted far more
attention than any
of the objective data.**

on the other hand, the *Report* may have counted not only all of its faculty in performance, but also all of its adjuncts. According to Fenton, in the case of Temple's music program—which offers a PhD only in music education and has just six faculty members—the *Report's* figure (38) must have included faculty members teaching all Temple doctoral students. SUNY-Stony Brook's figure, Fenton speculates, must have included its music program's entire faculty, not just those who teach PhD students, and must also have included—despite the Committee's instructions not to do so—some part-time and *emeritus* faculty.

Fenton also points out that the *Report* lists some strange figures concerning the number of *students* in many PhD programs. It lists New York University, his own institution, as having only two graduate students in music, while the actual number in 1993 when the survey was done was about 30 or 40. The number of PhD students the *Report* lists for other music programs, he argues, including those at the CUNY Graduate School and University Center, the University of Rochester's Eastman School of Music, and the University of Texas at Austin, all seem exceptionally high, strongly suggesting that the *Report's* figures were based on all doctoral students, or even all graduate students.

Furthermore, Fenton reports, the Committee made absolutely no attempt to check the accuracy of the figures provided by the Institutional Coordina-

tors. An official of the National Research Council told Fenton it would have been impossible for the Committee to check the accuracy of data furnished for more than 3,600 programs. Nevertheless, Fenton argues, the Committee certainly could have attempted to check the accuracy of a small sample—say, 5 percent—or about 180 of the programs. In many cases, Fenton argues, the numbers it published are so far from reality, and would be so obviously wrong to anyone with even a casual knowledge of the discipline of music, that simply eyeballing the data would have revealed many errors.

It is very likely the *Report* contains more errors, even far more errors, for the discipline of music than for most, or even all, other disciplines. This is because music doctoral programs often grant more than one kind of doctoral degree—not only the PhD, but also the Doctor of Arts, Doctor of Musical Arts, Doctor of Music, and Doctor of Education, among others—with many or most faculty in these programs instructing both PhD students and other doctoral students. Most disciplines included in the *Report*, by contrast, confer only one type of doctoral degree, the PhD. Still, in at least one other discipline, more than one kind of doctoral degree may be granted by the same program. Some programs in religion, for example, may grant both the PhD and the Doctor of Divinity degree.

At any rate, the figures that Fenton challenges are those provided by the Institutional Coordinators. Of the 20 different measures (17 for disciplines in the arts and humanities) for which the *Report* published data, only five were based on data provided by the Institutional Coordinators—those concerning the number of faculty members, the percentage of full professors, the number of PhDs recently produced, the number of students, and percentage of female students in each program.

The *Report's* reputational ratings, however, although obviously not supplied by the Institutional Coordinators, may also be tainted, because the coordinators provided the faculty members who rated each program with rosters listing the names and academic ranks of the tenure-track faculty members in programs at the coordinators' institutions. If these rosters included more or

fewer faculty members than were actually teaching in the programs, or if they erroneously included or excluded the names of well-known scholars, these mistakes could certainly affect the reputational ratings, as well.

THE HIGHEST-RATED COMPREHENSIVE INSTITUTIONS

The Committee rated programs from 274 institutions on a five-point scale. Institutions were rated if they offered even one program from among the 41 disciplines the *Report* covered that met the Committee's eligibility criteria. These criteria were based on how many PhDs the program had granted from 1986 to 1992, and were liberal enough so that those programs included in the *Report*, taken together, were responsible for about 90 percent of the PhDs conferred in their disciplines between those years, with the proportions ranging from 98 percent in electrical engineering to 79 percent in religion.

To show how universities offering a substantial number of PhD programs compared with each other, we have listed institutions the Committee rated in 15 or more disciplines in Table 1, according to the mean of their programs' ratings for "Scholarly Quality of Program Faculty." Most of the institutions we eliminated from the table—those the Committee rated in fewer than 15 disciplines—were universities with relatively small graduate programs in the arts and sciences, such as the University of Vermont (10 programs), Wake Forest (eight programs), and the University of Maine (five programs). Others were health sciences centers and medical schools, schools emphasizing engineering and technology, and schools offering doctorates in only one discipline, often theology or psychology.

In the tables in this article, we've included ranks for the institutions based on the following method: when two or more institutions were tied in mean score, the ranks at which they were tied were added and the sum was then divided by the number of institutions that were tied. If two institutions were tied for 20th and 21st places, for example, 20 and 21 were added; the sum, 41, was divided by two; and each institution was ranked as tied for the position of 20.5. If three institutions were tied for 20th, 21st, and 22nd places, they were all ranked as tied for 21st.

TABLE 1
"SCHOLARLY QUALITY OF PROGRAM FACULTY" BY MEAN SCORE OF ALL PROGRAMS, FOR INSTITUTIONS WITH 15 OR MORE PROGRAMS RATED

Rank	Institution	Mean Score	Number Program Rated
1	Massachusetts Institute of Technology	4.60	23
2	University of California-Berkeley	4.49	37
3	Harvard University	4.40	30
4.5	California Institute of Technology	4.29	19
4.5	Princeton University	4.29	29
6	Stanford University	4.21	43
7	University of Chicago	4.13	30
8	Yale University	4.08	30
9	Cornell University	3.95	37
10	University of California-San Diego	3.93	29
11	Columbia University	3.92	34
12.5	University of California-Los Angeles	3.85	36
12.5	University of Michigan	3.85	41
14	University of Pennsylvania	3.79	36
15	University of Wisconsin-Madison	3.70	39
16	University of Texas at Austin	3.63	37
17	University of Washington	3.60	39
18	Northwestern University	3.58	30
20.5	Carnegie Mellon University	3.56	15
20.5	Duke University	3.56	33
20.5	University of Illinois at Urbana-Champaign	3.56	37
20.5	Johns Hopkins University	3.56	34
23	University of Minnesota	3.45	39
24	University of North Carolina at Chapel Hill	3.44	34
25	Brown University	3.40	30
26	New York University	3.37	25
27	University of California-Irvine	3.35	24
28	University of Virginia	3.34	32
29	Purdue University	3.31	25
30	University of Arizona	3.25	29
31	University of Rochester	3.24	28
32.5	Emory University	3.23	16
32.5	Rutgers University-New Brunswick	3.23	33
34	Washington University	3.22	27
35.5	University of California-Davis	3.18	26
35.5	Pennsylvania State University	3.18	39
37	Ohio State University	3.16	39
38	Indiana University	3.15	28
39	State University of New York at Stony Brook	3.13	30
40	Rice University	3.11	22
41	University of California-Santa Barbara	3.08	32
42.5	University of Colorado	3.05	31
42.5	CUNY Grad. School and University Center	3.05	26
44.5	University of Maryland College Park	3.04	28
44.5	University of Southern California	3.04	26
46	North Carolina State University	3.03	23
47	Texas A&M University	3.00	27
48	Vanderbilt University	2.99	26
49	University of Massachusetts at Amherst	2.98	31
50	University of Iowa	2.97	33

Rank	Institution	Mean Score	Number of Programs Rated
52	University of Florida	2.92	32
52	Georgia Institute of Technology	2.92	16
52	University of Pittsburgh	2.92	40
54	University of Utah	2.90	20
55	Michigan State University	2.89	30
56	Case Western Reserve University	2.88	21
57	Iowa State University	2.81	23
58.5	Arizona State University	2.76	26
58.5	University of Illinois at Chicago	2.76	22
60	Virginia Polytechnic Institute and State University	2.73	19
61	University of California-Riverside	2.72	19
62	University of California-Santa Cruz	2.71	17
63	University of Oregon	2.70	20
64	Oregon State University	2.68	20
65.5	State University of New York at Buffalo	2.65	35
65.5	Syracuse University	2.65	24
68	Colorado State University	2.64	16
68	University of Georgia	2.64	22
68	University of Notre Dame	2.64	22
70	University of Kansas	2.60	33
71	University of Connecticut	2.58	28
72	Florida State University	2.56	24
73	State University of New York at Albany	2.54	16
74	University of Kentucky	2.50	30
75	University of Miami	2.48	18
76.5	University of Hawaii at Manoa	2.47	21
76.5	University of Houston	2.47	22
78	Boston University	2.42	29
79	Louisiana State University and A&M College	2.41	27
80	Temple University	2.40	21
82	Lehigh University	2.37	16
82	Washington State University	2.37	21
82	Wayne State University	2.37	19
84	University of South Carolina	2.36	22
85.5	University of Cincinnati	2.25	28
85.5	University of Missouri-Columbia	2.25	24
88	University of Nebraska-Lincoln	2.22	21
88	University of Oklahoma	2.22	24
88	University of Tennessee, Knoxville	2.22	21
90	Kansas State University	2.18	17
91	Clemson University	2.16	15
92	Texas Tech University	2.14	17
93	State University of New York at Binghamton	2.11	17
94	West Virginia University	2.10	16
96	George Washington University	2.09	18
96	Tulane University	2.09	24
96	University of Wisconsin-Milwaukee	2.09	16
98	Auburn University	2.01	17
99	Kent State University	1.96	18
100	University of Alabama-Tuscaloosa	1.87	15
101	Oklahoma State University	1.72	16
102	Ohio University	1.71	15
103	Catholic University of America	1.69	19
104	Howard University	1.66	16

The Committee grouped the 41 disciplines it covered into five broad fields, as follows: arts and humanities; biological sciences; engineering; physical sciences and mathematics; and social and behavioral sciences. The top 20 institutions in each field are shown in Tables 2 through 6. (Note that the *Report* listed institutions in order of their mean scores only for individual disciplines, not for broad fields such as the arts and humanities and the social and behavioral sciences. Rank orders and mean scores for the five broad fields and for entire institutions [see Tables 1-6] were provided to us by Jean Fort, Assistant Dean of Graduate Studies and Research at the University of California-San Diego.)

There were large differences between some universities' ranks in these broad fields and their ranks as a whole. For example, Cornell rated ninth overall, but only 26th in biological sciences; Columbia, 11th overall, but 37th in engineering; the University of Pennsylvania, 14th overall, but 32nd in physical sciences and mathematics; the University of Wisconsin-Madison, 15th overall, but tied for 27th in arts and humanities; the University of Texas at Austin, 16th overall, but 33rd in biological sciences; the University of Washington, 17th overall, but 34th in arts and humanities; Duke, tied for the rank of 20.5 overall, but 34th in physical sciences and mathematics and 47th in engineering; and Brown, 25th overall, but 53rd in biological sciences.

PROGRAMS RATING MUCH HIGHER THAN THEIR INSTITUTIONS

The ratings of programs in all 41 disciplines were published in the *Chronicle of Higher Education* (Sept. 22, 1995) and will not be reprinted here. It is worth noting, however, that some programs rated far higher than did their university as a whole. Duke, for example, which tied for the rank of 20.5 overall, fared much better than that in the humanities. In the area of languages and literatures, it ranked second in comparative literature, second in Spanish and Portuguese, third in French, and was tied at 5.5 in English; it also ranked fourth in religion. The University of California-Irvine likewise fared much better in two language and literature programs than it

did overall. It ranked 27th overall, but eighth in comparative literature and 10th in French. Other institutions that did much better in particular disciplines than overall were the University of Virginia (28th overall, but fourth in English); CUNY Graduate School and University Center (tied at 42.5 overall, but fourth in music); the University of Massachusetts at Amherst (49th overall, but fourth in linguistics); and the University of Pittsburgh (tied for 52nd overall, but with no fewer than two of the five highest-rated philosophy programs—its philosophy program rated second, and its program in the history and philosophy of science, which split off from Pitt's philosophy department in 1970, rated fifth).

In the social sciences, the University of Arizona rated 30th overall, but was fifth in anthropology; Penn State tied for 35.5 overall, but was first in geography; the University of Florida tied for 52nd overall, but was 11th in anthropology; Washington State University tied for 82nd overall, but was 32nd in sociology; and Boston University rated 78th overall, but was 21st in economics (up from 39th in the 1982 *Assessment*). This rating—as great an improvement as it represented—still raised the hackles of one Boston University economist who claimed, in a sharply worded letter sent to all Committee members, that the economics program actually deserved to be rated much higher. His evidence consisted partly of a study published in the December 1995 issue of the *Journal of Economic Literature*, which rated Boston University's economics department eighth in the United States in pages published per faculty member in eight leading economics journals from 1987 to 1991.

PROGRAMS RATING MUCH LOWER THAN THEIR INSTITUTIONS

The most astonishing disparity between an institution's overall rating and its score in any particular discipline in the arts and humanities and the social sciences may have occurred at Yale. Yale ranked eighth overall, yet its philosophy program—which in the *Carter Report* had rated third in the nation but which never recovered after losing Wilfred Sellars, Adolf Grunbaum, and other philosophers to Pitt in the early

The University of California-Berkeley (pictured) not only achieved the second highest overall mean rating (4.49) of all 274 institutions rated, it had 36 programs rated in the top 10 in their disciplines—ahead of Stanford (32), Harvard (26), Princeton (22), and MIT (20).



PHOTO BY JANE SUTHER/UNIVERSITY OF CALIFORNIA-BERKELEY

TABLE 2
TOP 20 INSTITUTIONS IN ARTS AND HUMANITIES (OF THOSE THAT HAD AT LEAST FIVE OF THE 11 SUCH PROGRAMS RATED)

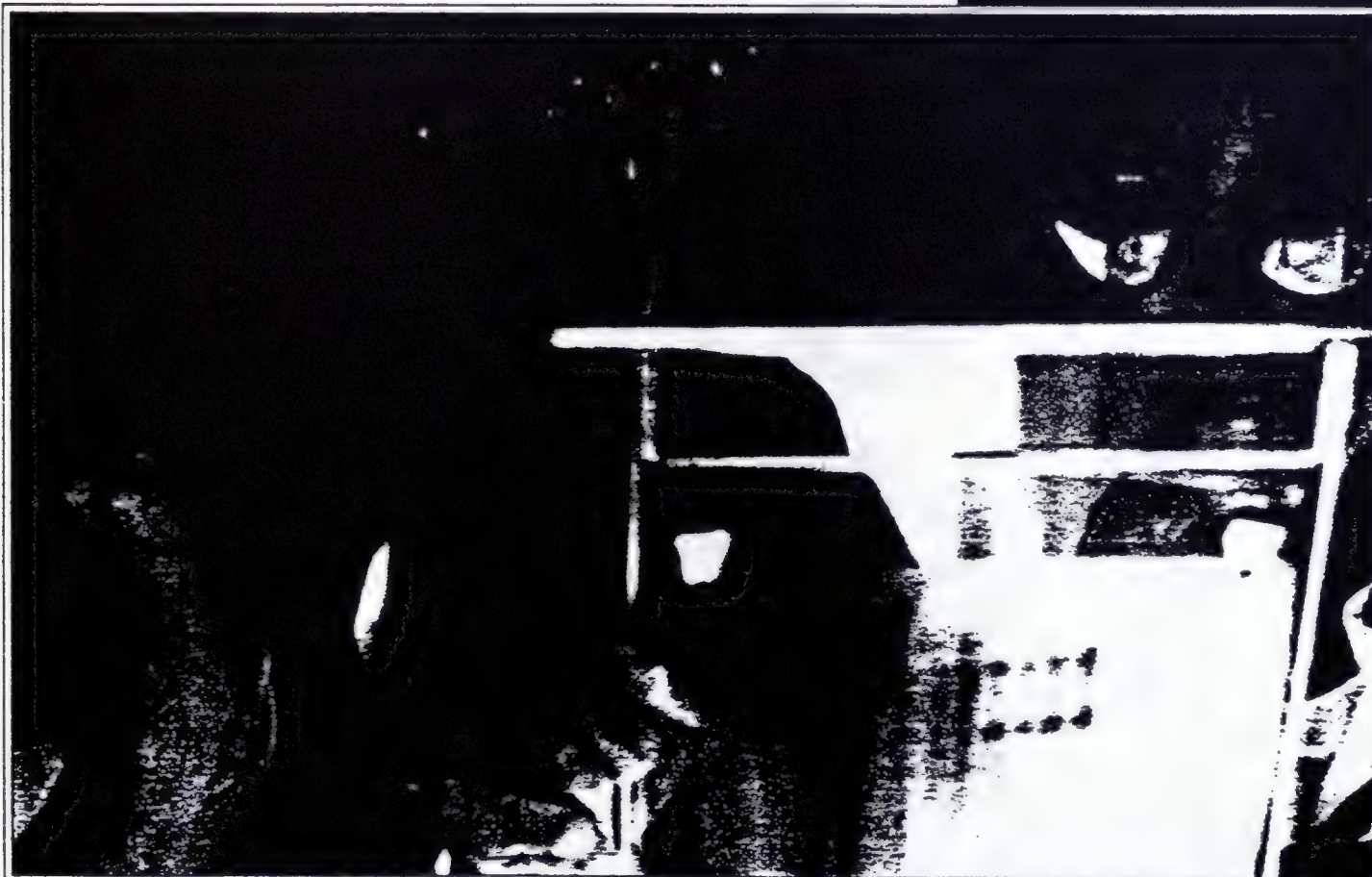
Rank	Institution	Mean Score	Number of Programs Rated
1	University of California-Berkeley	4.36	10
2	Princeton University	4.28	10
3	Harvard University	4.20	11
4	Columbia University	4.12	9
5	Yale University	3.95	9
6	Cornell University	3.93	10
7	University of Pennsylvania	3.88	11
9	University of Chicago	3.85	10
9	Duke University	3.85	8
9	Stanford University	3.85	11
11	University of California-Los Angeles	3.67	10
12	University of Michigan	3.66	10
13	University of California-Irvine	3.63	6
14	Johns Hopkins University	3.55	7
15	University of Virginia	3.54	8
16	CUNY Graduate School and University Center	3.45	8
17	Brown University	3.42	10
18	University of Texas at Austin	3.40	10
19	University of California-San Diego	3.37	6
20	Northwestern University	3.23	7

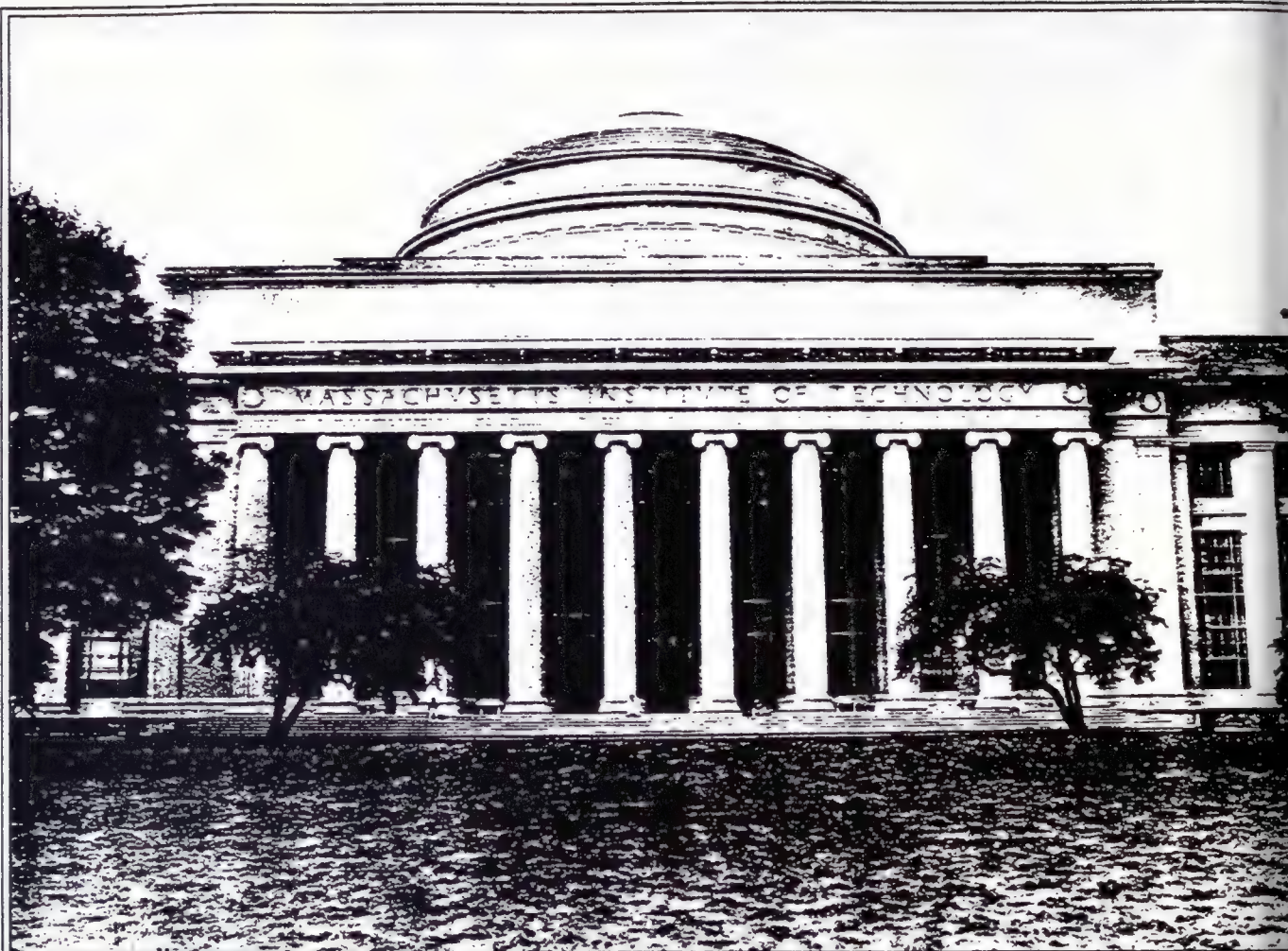
TABLE 3**TOP 20 INSTITUTIONS IN BIOLOGICAL SCIENCES (OF THOSE THAT HAD AT LEAST THREE OF THE SEVEN SUCH PROGRAMS RATED)**

Rank	Institution	Mean Score	Number of Programs Rated
1	University of California-San Francisco	4.67	5
2	Massachusetts Institute of Technology	4.54	5
3	Harvard University	4.43	6
4.5	University of California-San Diego	4.42	7
4.5	Stanford University	4.42	8*
6	Yale University	4.40	7
7	University of California-Berkeley	4.36	5
8	Rockefeller University	4.31	3
9	Washington University	4.19	5
10	University of Washington	4.18	7
11	Columbia University	4.15	6
12.5	California Institute of Technology	4.07	6
12.5	Duke University	4.07	7
14	University of Wisconsin-Madison	4.04	7
15	University of Pennsylvania	4.03	7
16.5	University of Chicago	3.99	7
16.5	Johns Hopkins University	3.99	7
18	University of Texas Southwestern Medical Center	3.94	5
19	University of California-Los Angeles	3.93	6
20	Baylor College of Medicine	3.87	6

* Stanford is listed as having eight programs because it had two programs rated in cell and developmental biology, one in its School of Medicine and one in its School of Arts and Sciences.

In addition to being rated first in the Biological Sciences (Table 3), the University of California-San Francisco secured the highest rating for program effectiveness with its Molecular and General Genetics program (Table 9).





When institutions with a substantial number of PhD programs were compared according to the mean of their programs' ratings for faculty scholarly quality, MIT (pictured) rated first—ahead of UC-Berkeley, Harvard, CalTech, Princeton, and Stanford (Table 1). In addition, MIT was first in Engineering (Table 4), second in Physical Sciences and Mathematics (Table 5), and had three of the 12 programs that scored the highest for program effectiveness (Table 9).

TABLE 4
TOP 20 INSTITUTIONS IN ENGINEERING (OF THOSE THAT HAD
AT LEAST FOUR OF THE EIGHT SUCH PROGRAMS RATED)

Rank	Institution	Mean Score	Number of Programs Rated
1	Massachusetts Institute of Technology	4.65	7
2	University of California-Berkeley	4.47	7
3	Stanford University	4.33	8
4	California Institute of Technology	4.31	6
5	Cornell University	4.16	6
6	Princeton University	4.13	5
7	University of Illinois at Urbana-Champaign	4.05	7
8	University of Michigan	4.00	8
9	University of California-San Diego	3.92	4
10	University of Minnesota	3.85	7
11	Northwestern University	3.84	7
12	Purdue University	3.83	7
13	University of Texas at Austin	3.82	7
14	Carnegie Mellon University	3.80	5
15	University of Pennsylvania	3.71	5
16.5	University of California-Santa Barbara	3.70	4
16.5	University of Wisconsin-Madison	3.70	7
18	Georgia Institute of Technology	3.60	7
19	University of California-Los Angeles	3.50	6
20	Pennsylvania State University	3.44	8

TABLE 5
TOP 20 INSTITUTIONS IN PHYSICAL SCIENCES AND MATHEMATICS
(OF THOSE THAT HAD AT LEAST FOUR OF THE EIGHT SUCH
PROGRAMS RATED)

Rank	Institution	Mean Score	Number of Programs Rated
1	University of California-Berkeley	4.74	8
2	Massachusetts Institute of Technology	4.69	7
3	California Institute of Technology	4.61	6
4	Harvard University	4.50	7
5	Princeton University	4.48	6
6	Cornell University	4.36	7
7	University of Chicago	4.30	7
8	Stanford University	4.22	10*
9	University of California-San Diego	4.07	6
10	University of Texas at Austin	4.04	6
12	University of California-Los Angeles	3.97	7
12	Columbia University	3.97	8
12	Yale University	3.97	6
14	University of Washington	3.91	9**
15	University of Illinois at Urbana-Champaign	3.89	7
16	University of Wisconsin-Madison	3.81	8
17	Brown University	3.73	6
18	Carnegie Mellon University	3.66	5
19	Purdue University	3.58	6
20	Rice University	3.56	6

* Stanford is listed as having 10 programs because it had three programs that were rated in geosciences—its programs in geosciences, geophysics, and applied earth sciences.

**The University of Washington is listed as having nine programs because it had two in mathematics (one in mathematics and one in applied mathematics) and two in the discipline of statistics and biostatistics (one in statistics and one in biostatistics).

Princeton (pictured), rated fifth in the Physical Sciences and Mathematics (Table 5), had 22 of 29—or 76 percent—of its programs rated among the top 10 in their disciplines, behind UC-Berkeley, Harvard, and MIT.



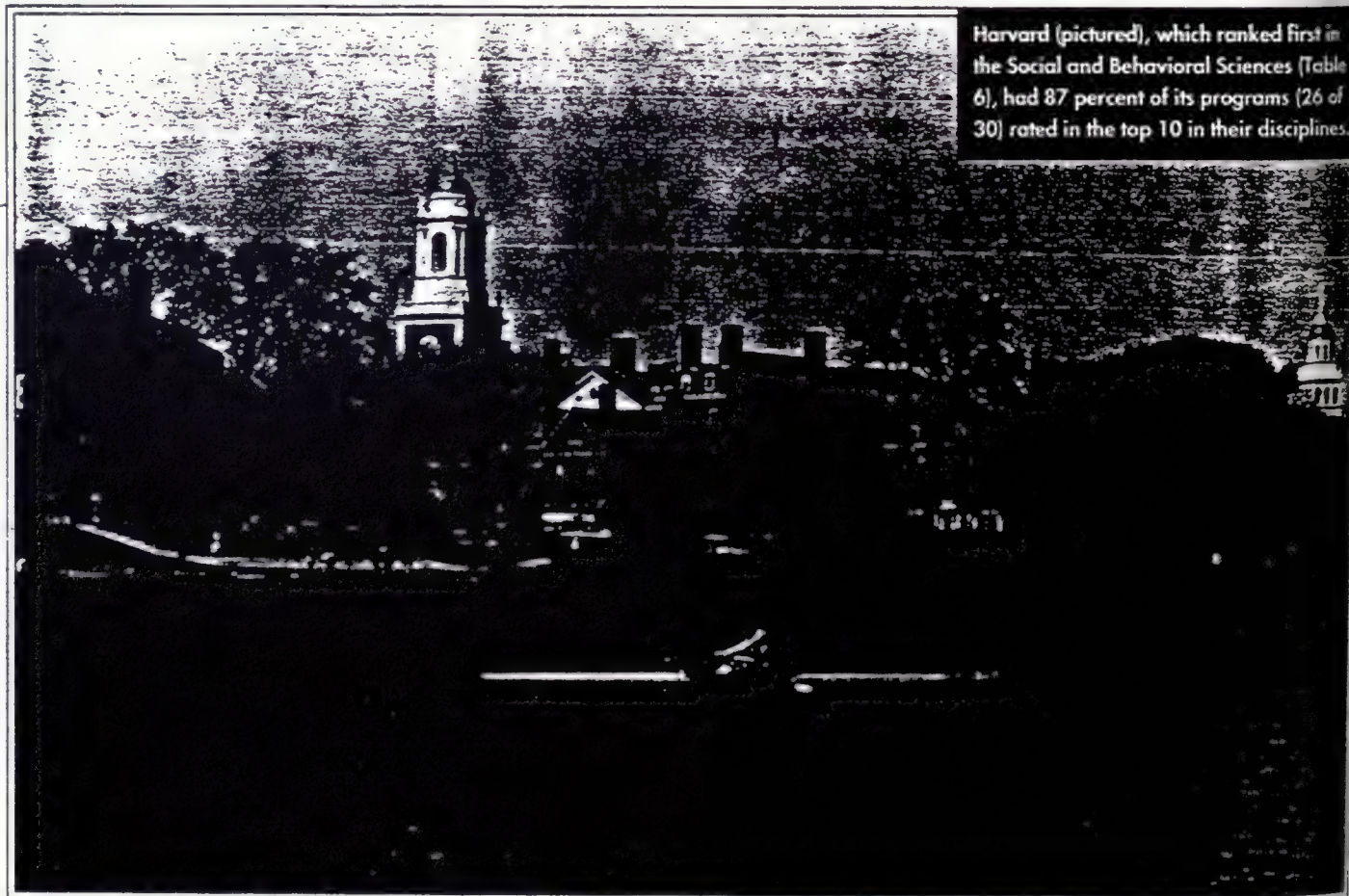
1960s—plummeted to tied for 59.5, behind the philosophy programs at Temple, the University of Miami, and the University of Nebraska-Lincoln, and in the lowest 20 percent of all philosophy programs the *Report* rated.

Neither Stanford nor the University of Wisconsin-Madison fared nearly as well in the humanities as overall. Stanford, while sixth overall, rated 15th in music, 16th in classics, and 17th in Spanish and Portuguese. The University of Wisconsin-Madison, while 15th overall, rated 22nd in English, 32nd in linguistics (out of only 41 programs rated in this discipline), 32nd in music, 35th (of 38) in art history, and 37th (of 44) in comparative literature. Thus Wisconsin-Madison—which ranked behind only the University of Michigan in the Big Ten Conference and was the fifth-rated public institution in the entire survey—saw its programs in linguistics, art history, and comparative literature all rated in the bottom quarter of programs in their disciplines.

In the social sciences, programs that rated considerably lower than their institutions included Cornell's (ninth overall) anthropology program, 31st, and its sociology program, 35th; Pur-

TABLE 6
TOP 20 INSTITUTIONS IN SOCIAL AND BEHAVIORAL SCIENCES
(OF THOSE THAT HAD AT LEAST THREE OF THE SEVEN SUCH
PROGRAMS RATED)

Rank	Institution	Mean Score	Number of Programs Rated
1	Harvard University	4.61	6
2	University of Chicago	4.56	6
3	University of California-Berkeley	4.48	7
4	University of Michigan	4.45	6
5	Stanford University	4.43	6
6	Yale University	4.33	6
7.5	University of California-Los Angeles	4.22	7
7.5	Princeton University	4.22	6
9	University of Wisconsin-Madison	4.15	7
10	Columbia University	3.97	6
11	University of Pennsylvania	3.94	6
12.5	University of California-San Diego	3.78	6
12.5	Northwestern University	3.78	6
14	University of Minnesota	3.76	7
15	Cornell University	3.67	6
16	Duke University	3.63	6
17	University of Washington	3.57	7
18	University of North Carolina at Chapel Hill	3.55	7
19	University of Texas at Austin	3.53	7
20	University of Illinois at Urbana-Champaign	3.50	7



Harvard (pictured), which ranked first in the Social and Behavioral Sciences (Table 6), had 87 percent of its programs (26 of 30) rated in the top 10 in their disciplines.



PHOTO BY EDWARD W. SUZZA/STANFORD UNIVERSITY NEWS SERVICE

Of the 3,634 programs rated, Stanford's (pictured) Computer Science program had the highest mean score for faculty scholarly quality (Table 7), and Stanford had the second largest number (32) of programs rated in the top 10 in their disciplines, after UC Berkeley's 36 programs.

TABLE 7
THE 10 HIGHEST SCORES, PLUS TIES, FOR "SCHOLARLY QUALITY OF PROGRAM FACULTY"

Institution	Discipline	Mean Score
Stanford University	Computer Science	4.97
University of California-Berkeley	Chemistry	4.96
University of Chicago	Economics	4.95
Harvard University	Economics	4.95
University of California-Berkeley	Mathematics	4.94
California Institute of Technology	Chemistry	4.94
Princeton University	Mathematics	4.94
Massachusetts Institute of Technology	Economics	4.93
Princeton University	Philosophy	4.93
Massachusetts Institute of Technology	Mathematics	4.92
Stanford University	Economics	4.92

TABLE 8
THE 10 LOWEST SCORES FOR "SCHOLARLY QUALITY OF PROGRAM FACULTY"

Institution	Discipline	
University of Southern Mississippi	Cell & Developmental Biology	0
University of Alaska	Biochemistry & Molecular Biology	0
Georgia Institute of Technology	Cell & Developmental Biology	0
Northern Arizona University	Molecular & General Genetics	0
Stevens Institute of Technology	Psychology	0
Northern Arizona University	Biochemistry & Molecular Biology	0
Oklahoma State University	Computer Science	0
University of Idaho	Molecular & General Genetics	0
University of California-Santa Cruz	Pharmacology	0
Clark University	Molecular & General Genetics	0

TABLE 9
THE 10 HIGHEST SCORES, PLUS TIES, FOR "PROGRAM EFFECTIVENESS IN EDUCATING RESEARCH SCHOLARS AND SCIENTISTS"

Institution	Discipline	
University of California-San Francisco	Molecular & General Genetics	4
California Institute of Technology	Astrophysics & Astronomy	4
California Institute of Technology	Chemistry	4
Massachusetts Institute of Technology	Molecular & General Genetics	4
University of California-San Francisco	Biochemistry & Molecular Biology	4
University of California-Berkeley	Chemistry	4
Harvard University	Physics	4
Massachusetts Institute of Technology	Economics	4
Massachusetts Institute of Technology	Chemistry	4
Princeton University	Economics	4
Princeton University	Mathematics	4
Princeton University	Physics	4

due's (29th overall) history program, 68th; and the University of Rochester's (31st overall) anthropology program, tied for 66th (of 69).

FACULTY SCHOLARLY QUALITY, PROGRAM EFFECTIVENESS, AND CHANGE IN PROGRAM QUALITY

Of the more than 3,600 programs the Committee rated, the 10 (plus ties) that rated highest for "Scholarly Quality of Program Faculty" are shown in Table 7. Ten of these 11—all except Princeton's philosophy program—are in quantitative disciplines, with four in economics and three in mathematics. The University of California-Berkeley, MIT, Princeton, and Stanford are each represented by two programs.

The 10 lowest-rated programs for faculty scholarly quality are shown in Table 8. Eight of these programs are in

the biological sciences, with none from either the humanities or engineering. Northern Arizona University, although it had only eight programs included in the *Report*, has two programs rated among the bottom seven, both in biological sciences.

The programs with the 10 highest scores (plus ties) for "Program Effectiveness in Educating Research Scholars and Scientists" are shown in Table 9. All 12 of these programs are in biological sciences, physical sciences and mathematics, and economics. MIT and Princeton are each represented by three programs; the University of California-San Francisco and California Institute of Technology are both represented by two.

The programs with the 10 lowest scores (plus ties) for program effectiveness—all received scores of 0 on the scale of 0 to 5—are shown in Table

10. Twelve of these 15 programs are in the biological sciences. The University of Idaho is represented by three programs; no other institution housed more than one.

The Committee measured how respondents observed the programs have changed in quality during the years prior to the survey, 1988 to 1991, by having them indicate the program's quality that had improved in quality; had declined in quality; and undergone little or no change. The Committee then translated the three types of responses into +1, -1, and 0, respectively, and converted the faculty responses into mean scores. If all respondents indicated that a program had improved in quality, its score was +1; if all respondents indicated that a program had declined in quality, its score was -1. Since the rating included eight disciplines the

TABLE 10
THE 10 LOWEST SCORES, PLUS TIES, FOR "PROGRAM EFFECTIVENESS IN EDUCATING RESEARCH SCHOLARS AND SCIENTISTS"

Institution	Discipline	Mean Score
University of Alaska	Biochemistry & Molecular Biology	0.00
Boston University School of Arts and Sciences	Biochemistry & Molecular Biology	0.00
Georgia Institute of Technology	Cell & Developmental Biology	0.00
University of Idaho	Molecular & General Genetics	0.00
University of Idaho	Neurosciences	0.00
University of Idaho	Physiology	0.00
Indiana University of Pennsylvania	Linguistics	0.00
Miami University	Neurosciences	0.00
New Mexico Institute of Mining and Technology	Computer Science	0.00
Northern Arizona University	Neurosciences	0.00
University of Southern Mississippi	Cell & Developmental Biology	0.00
Stevens Institute of Technology	Psychology	0.00
Texas Woman's University	Neurosciences	0.00
University of Tulsa	Ecology, Evolution, & Behavior	0.00
Utah State University	Cell & Developmental Biology	0.00

not included in 1982, since the later rating defined the disciplines in biological sciences quite differently from the way the earlier rating defined them, and since even for disciplines that were included in both ratings, some programs were included only in one of them, the *Report* includes calculations of change for 1,916 of the 3,634 programs (53 percent) in 27 of the 41 disciplines (66 percent). The 10 programs that the greatest proportion of respondents rated as having improved from 1988 to 1993 are shown in Table 11. Six of these programs are in biological sciences. The University of California-Santa Barbara is represented twice, both times in engineering.

The 10 programs that the largest percentage of respondents thought had declined in quality from 1988 to 1993 are shown in Table 12. While the 11 arts and humanities disciplines are nearly absent from Tables 7 through 11, which list only three such programs, three of the 10 programs regarded by the greatest proportion of respondents as having declined in quality in the previous five years are from arts and humanities. They are philosophy at Yale, Spanish and Portuguese at SUNY-Stony Brook, and French at Johns Hopkins. Remarkably, while French at Johns Hopkins is one of the 10 programs that the most raters regarded as having declined in the previous five years, its rating for faculty scholarly quality still somehow im-

proved from 31st in 1982 to tied for 18.5 in 1995. (Note that if we had measured change by comparing programs' mean scores or standard scores in the 1982 *Assessment* with those in the 1995 *Report*, the programs listed as having improved or declined the most would almost certainly have been quite different from the ones shown in Tables 11 and 12.)

PROGRAMS WITH GREAT DISPARITIES BETWEEN FACULTY SCHOLARLY QUALITY AND PROGRAM EFFECTIVENESS SCORES

As usual in reputational ratings of PhD-level education in the arts, sciences, and engineering, the *Report* showed a very high correlation between the measures of faculty scholarly quality and program effectiveness; of the 41 disciplines covered, the first 10 in alphabetical order—from aerospace engineering to civil engineering—had correlations ranging from .95 to .98 and averaging .97. However, for a small number of programs, there were large disparities. In 16 programs, or less than .5 percent of those covered, their program effectiveness score was at least one point higher on the five-point scale than their faculty scholarly quality score. These programs are shown in Table 13. Thirteen of these programs were from biological sciences; the other three were all from social and behavioral sciences.

In four programs, or .1 percent of

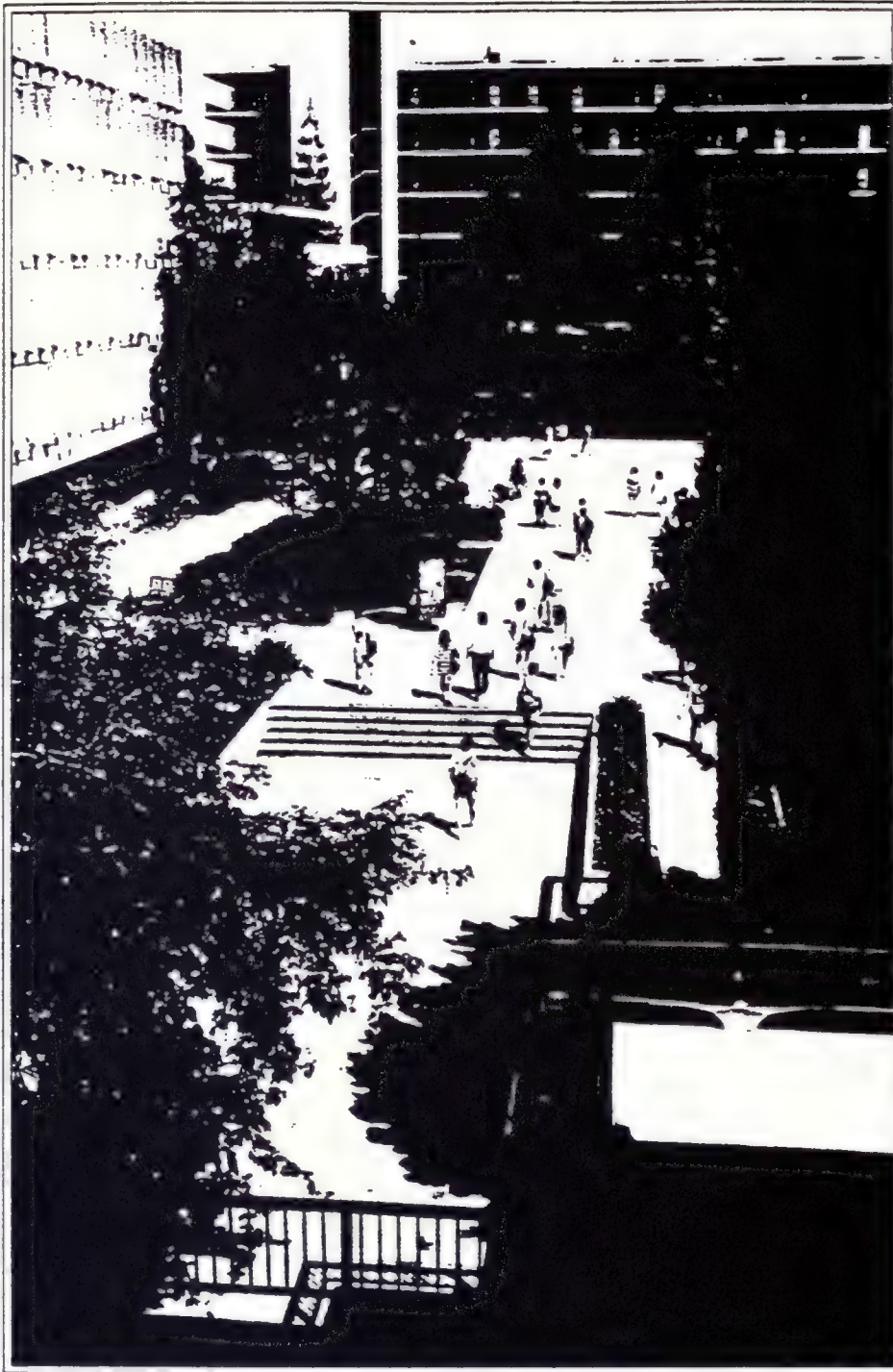
those included, there was a disparity of one point or more between the two measures, with faculty scholarly quality scoring higher than program effectiveness. These four programs are shown in Table 14. Three of these four programs are from arts and humanities.

THE UNIVERSITY OF CALIFORNIA'S OUTSTANDING RATINGS

The University of California (UC) system rated extraordinarily well in many areas, as did two of its campuses, UC-Berkeley and UC-San Diego.

UC-Berkeley

UC-Berkeley rated exceptionally high any way you look at the *Report*'s figures. It achieved the second highest overall mean rating (4.49) of all 274 institutions rated, below only MIT. It had more programs rated in the top 10 in their disciplines (36) than did any other institution, ahead of Stanford (32), Harvard (26), Princeton (22), and MIT (20). It also had the highest proportion of its programs rated in the top 10 in their disciplines (36 of 37, or 97 percent), ahead of Harvard (26 of 30, 87 percent), MIT (20 of 23, 87 percent), Princeton (22 of 29, 76 percent), and Stanford (32 of 43, 74 percent)—the only other institutions that had more than 70 percent of their programs rated in the top 10. Of Berkeley's 37 programs included in the *Report*, five were



first, or tied for first, in their disciplines. Berkeley was rated first in chemistry and German and was tied for the rank of 1.5 in mathematics as well as in statistics (although it rated lower in biostatistics) and for the rank of 2.0 in English. Twenty of its programs were rated anywhere from second to fifth (including any ties) in their disciplines, and 11 more were rated from sixth to 10th. The only Berkeley program that rated lower than 10th was cell and developmental biology (13th).

UC-San Diego

UC-San Diego rated extraordinarily

well, particularly for an institution that became a UC campus as recently as 1964. It was rated 10th in mean score (3.93) for faculty scholarly quality—higher than older and larger UCLA, higher than any public university campus in the United States except Berkeley, and higher than such highly regarded private universities as Columbia, the University of Pennsylvania, and Northwestern. Two of its programs—in neurosciences and oceanography—rated first in the United States. Three more programs at UC-San Diego rated from second to fifth, and nine more from sixth to 10th, for a total of 14 of its 29 doctoral programs (48 per-

cent) that were rated in their disciplines in the top 10.

Photo by J. A. [illegible]



cent) that were rated in their disciplines in the top 10.

The UC System

Impressive as are the ratings of Berkeley and UC-San Diego, the rating of the UC system as a whole is more remarkable. Of its 229 programs included in the study, 119—or 52 percent—rank in the top 20 in their disciplines. The nine UC campuses represented only 3 percent of the 274 institutions included, and the eight UC campuses (all but UC-San Francisco) that have 15 or more programs rated represented only 8 percent of the 104 institutions



Of the 10 programs that the greatest proportion of respondents rated as having improved from 1988 to 1993, the University of Alabama at Birmingham (pictured) shared a top mean score of +1 with Lehigh University, Loma Linda University, and the University of New Orleans.

UNIVERSITY OF ALABAMA AT BIRMINGHAM PHOTO

TABLE II
THE 10 PROGRAMS THAT THE LARGEST PROPORTION OF RESPONDENTS THOUGHT HAD IMPROVED, 1988-1993

Institution	Discipline	Mean Score
University of Alabama at Birmingham	Ecology, Evolution, & Behavior	+1.00
Lehigh University	Cell & Developmental Biology	+1.00
Loma Linda University	Ecology, Evolution, & Behavior	+1.00
University of New Orleans	Psychology	+1.00
Rutgers University-New Brunswick	Philosophy	+0.91
University of California-Santa Barbara	Materials Science	+0.88
Baylor College of Medicine	Molecular & General Genetics	+0.83
North Carolina State University	Physiology	+0.83
University of California-Santa Barbara	Chemical Engineering	+0.82
University of Tennessee, Memphis	Cell & Developmental Biology	+0.82

TABLE 12
THE 10 PROGRAMS THAT THE LARGEST PROPORTION OF RESPONDENTS THOUGHT HAD DECLINED
1988-1993

Institution	Discipline
Boston University	Neurosciences
University of California-San Francisco	Psychology
Stevens Institute of Technology	Psychology
Yale University	Philosophy
University of Notre Dame	Materials Science
State University of New York College of Environmental Science and Forestry	Chemistry
University of Idaho	Molecular & General Genetics
Indiana University	Physiology
State University of New York at Stony Brook	Spanish & Portuguese Language & Literature
Johns Hopkins University	French Language & Literature

TABLE 13
PROGRAMS IN WHICH THE PROGRAM EFFECTIVENESS SCORE WAS AT LEAST ONE POINT HIGHER THAN THE FACULTY SCHOLARLY QUALITY SCORE

Institution	Discipline	Difference
University of Louisville	Molecular & General Genetics	2.06
State University of New York at Binghamton	Physiology	1.83
Virginia Polytechnic Institute and State University	Physiology	1.70
Illinois State University	Physiology	1.55
State University of New York at Binghamton	Cell & Developmental Biology	1.34
Jewish Theological Seminary	History	1.26
University of Wisconsin-Milwaukee	Psychology	1.21
Albany Medical College	Molecular & General Genetics	1.20
University of Puerto Rico-Rio Piedras	History	1.17
Miami University	Cell & Developmental Biology	1.15
Florida State University	Molecular & General Genetics	1.13
Florida State University	Cell & Developmental Biology	1.06
Wake Forest University	Molecular & General Genetics	1.04
Bowling Green State University	Physiology	1.00
Clark Atlanta University	Biochemistry & Molecular Biology	1.00
University of Nebraska-Lincoln	Molecular & General Genetics	1.00

this category. Remarkably, however, these nine house 15 percent of the nation's top 20 programs, 19 percent of its top 10 programs, and fully 20 percent of its top five programs. Six of the nine UC campuses placed one or more programs in the top five in their disciplines, and eight of the nine—all but UC-Riverside—placed one or more programs in the top 10.

The eight UC campuses with 15 or more programs rated, taken as a group, achieve a higher mean score than do the 11 schools in the Big Ten. They score an average of 3.55 in faculty scholarly

quality, compared to the Big Ten's 3.37, and 3.38 in program effectiveness, compared to the Big Ten's 3.32. This performance is astonishing, considering that the Big Ten universities, taken as a group, are much older than the UC campuses and have much larger faculties (reputational rankings of doctoral programs generally correlate quite highly with size of program faculty). It is all the more astonishing when one considers that eight of the Big Ten universities—all except Indiana, Michigan State, and Northwestern—are, according to the Report, the highest-rated pub-

lic research universities in their category.

In the past 40 years or so, many states that long had only one state university campus have established one or more other campuses, and some of these are developing their new campuses to eventually achieve parity with the flagship campus. As of now, however, none of these non-flagship campuses has achieved anything approaching parity with any of the UC's five higher-rated non-flagship campuses, as shown in Table 15.

Of the 12 non-flagship campuses that have 15 or more programs rated

While the French program at Johns Hopkins was one of the 10 programs regarded by the greatest parportion of raters as having declined in the previous five years, the program's rating for faculty scholarly quality improved from 31st in 1982 to be tied for 18.5 in 1995.



Johns Hopkins University Photo

seven are UC campuses. The highest-rated non-flagship campus that is *not* part of the UC system, the University of Illinois at Chicago, falls behind five non-flagship UC campuses. In addition, the other four non-flagship campuses—the SUNY campuses at Buffalo, Albany, and Binghamton, and the University of Wisconsin-Milwaukee—score below all seven UC non-flagship campuses that had 15 or more programs rated. California, with a 1994 population of about 31 million, thus had a state university system in which five of its non-flagship campuses with 15 or more programs included rated above *any* similar campuses in such populous states as Texas (18 million), New York (18 million), Florida (14 million), Pennsylvania (12 million), and Illinois (12 million).

UC's rating is all the more noteworthy considering that in 1978 California passed Proposition 13, which lowered property taxes and is regarded as having severely hurt public higher education. It is even more impressive considering that the Committee polled faculty members for its reputational ratings in May 1993,

TABLE 14
PROGRAMS IN WHICH THE FACULTY SCHOLARLY QUALITY SCORE WAS AT LEAST ONE POINT HIGHER THAN THE PROGRAM EFFECTIVENESS SCORE

Institution	Discipline	Difference
Johns Hopkins University	Classics	1.19
University of California-Irvine	French Language & Literature	1.07
University of California-Berkeley	Philosophy	1.00
Drexel University	Ecology, Evolution, & Behavior	1.00

just after UC had lost many of its most senior faculty members due to the attractive financial incentives it had offered in 1990 and 1991 to induce faculty members to retire early. (Since many other major universities—especially public universities—offered attractive buy-outs to their most senior faculty just *after* the Committee polled faculty members for its reputational rating, the *Report* may have been well out-of-date by the time it was published last September.)

THE RATINGS OF CATHOLIC UNIVERSITIES

Cass & Birnbaum's Guide to American Colleges (16th edition, 1994) counts 194 Catholic-affiliated colleges and universities, the largest body of religious institutions in the U.S. Three Catholic institutions—Boston College, Georgetown, and Notre Dame—rate among the top 3 percent of all colleges in terms of student selectivity (Barron's *Profiles of American Colleges*, 1994);

TABLE 15
NON-FLAGSHIP CAMPUSES* AND WHERE THEY RATE BY MEAN SCORE

Rank Among Institutions With 15 or More Rated Doctoral Programs	Mean Score	Rank Among Non-flagship Campuses	Institution
10	3.93	1	University of California-San Diego
12.5(T)	3.85	2	University of California-Los Angeles
27	3.35	3	University of California-Irvine
35.5(T)	3.18	4	University of California-Davis
41	3.08	5	University of California-Santa Barba
58.5(T)	2.76	6	University of Illinois at Chicago
61	2.72	7	University of California-Riverside
62	2.71	8	University of California-Santa Cruz
65.5(T)	2.65	9	State University of New York at Buff
73	2.54	10	State University of New York at Alba
93	2.11	11	State University of New York at Bing
96(T)	2.09	12	University of Wisconsin-Milwaukee

* Non-flagship campuses are defined as all campuses in each state university system other than the campus with the highest mean score.

(T) = Tied

dozens of others command regional followings. As a group, however, the *Report* underscores that these institutions didn't make their reputations on the basis of PhD programs. Of the 194, only 16 offered one or more PhD programs that met the Committee's modest criteria for being rated. Three of these—Manhattan College, Marquette University, and Villanova University—chose not to participate; two more—the University of Dallas and DePaul University—didn't get their information to the Committee on time. That left just 11—6 percent of all Catholic institutions—to be rated, with the results displayed in Table 16.

Although the Committee rated PhD programs in 41 disciplines, and some 30 private universities had programs rated in at least 25 of these, no Catholic institution offered PhD programs meeting the Committee's standards for inclusion in as many as 25 disciplines, and only two—Notre Dame (22 disciplines) and Catholic University of America (19)—offered PhD programs in more than 14 disciplines. Of the 14 charter members of the Association of American Universities (AAU), founded in 1900, 12 are still among America's most highly regarded institutions, ranking tied for 26th or higher for faculty scholarly quality. Catholic University of America, by contrast, although one of the charter members, plunged to tied

for 221st—far below any other original AAU member except Clark University, which fell to 235th.

BIGGEST GAINS AND LOSSES IN OVERALL ORDINAL POSITION AND MEAN SCORE, 1982 TO 1995

To determine the institutions that gained or lost the most ordinal positions and whose mean scores improved or declined the most from 1982 to 1995, we selected all institutions that had 15 or more programs rated in 1995 and that were also ranked among the top 100 institutions—counting institutions with fewer than 15 programs rated—in 1995. We then compared the institutions' ordinal positions and mean scores in the 1995 *Report* with their ordinal positions and mean scores in the 1982 *Assessment*. The institutions with the largest gains in ordinal position are shown in Table 17; those with the largest gains in mean score in Table 18; those with the largest declines in ordinal position in Table 19; and all those that declined in mean score, however slightly, are shown in Table 20.

Taken as a group, these four tables show that institutions in the Sun Belt fared better than those in the Frost Belt. Of institutions that showed the largest gains in ordinal position, eight are located in the Sun Belt; only two—Case Western Reserve and Notre Dame—are located in the Frost Belt. Of those showing the largest gains in mean

score, seven are in the Sun Belt, three—Case Western Reserve, University of Utah, and Washington University—are in the Frost Belt. The majority of those that declined in ordinal position and mean score are in the Frost Belt. Seven of those declined the most in ordinal position in the Frost Belt, and only three—Institute of Technology, UC-Santa Cruz, and Virginia Polytechnic Institute and State University—are in the Sun Belt. All five that declined in mean score are in the Frost Belt.

Private institutions fared better than public ones, at least in that they were not among the biggest decliners in ordinal position. The institutions shown in Tables 17, 18, and 20 are fairly evenly split between those that are private and those that are public—14 (56 percent) are public, and 11 (44 percent) are private. However, all 10 institutions shown in Table 19—those that declined in ordinal position from 1982 to 1995—are public.

By far the biggest gainer—both in ordinal position and in mean score—was Emory University, which has obviously put the \$105 million in Coca-Cola money it got in 1979 to good use. Emory now has an endowment of more than \$2.2 billion, ranking sixth, as of June 1995, among U.S. universities and university systems.

SUNY-Buffalo declined by far



While Georgetown, Notre Dame, and Boston College (pictured) rate among the top 3 percent of schools in admissions selectivity for freshmen, Catholic-affiliated institutions, as a group, have not made their reputations on the basis of PhD programs.

BOSTON COLLEGE PHOTO



By far the biggest gainer in both ordinal position and in mean score, Emory University gained 91.5 ordinal positions between 1982 and 1995 (Table 17) and gained 1.2 points in mean score over the same period (Table 18).

PHOTO BY ANNE MARIE POVE/EMORY UNIVERSITY PHOTOGRAPHY

ordinal positions than did any other school. It was also one of only two schools—the other is Indiana University—to rank both among the 10 schools that lost the most ordinal positions and among the five that declined in mean score. Between the 1966 *Curtter Report* and the 1970 *Roose-Andersen* study, SUNY-Buffalo's reputation improved enormously, but it has since fallen on hard times. Now tied for an ordinal position of 65.5 and a mean score of 2.65, it ranks far behind SUNY-Stony Brook

TABLE 16
RANK AND MEAN SCORES OF THE CATHOLIC UNIVERSITIES

Rank	Institution	Number of Disciplines Rated	Mean Score
88.5 (T)	Georgetown University	14	2.71
96 (T)	University of Notre Dame	22	2.64
111 (T)	Saint Louis University	10	2.47
124 (T)	Boston College	10	2.38
140	Loyola University of Chicago	10	2.23
194.5 (T)	Creighton University	2	1.87
202.5 (T)	Saint John's University (New York)	4	1.82
221 (T)	Catholic University of America	19	1.69
233	Duquesne University	3	1.56
234	Fordham University	11	1.55
273	University of Detroit Mercy	3	0.69

(T) = Tied

TABLE 17
INSTITUTIONS WITH THE 10 LARGEST GAINS IN ORDINAL POSITION, 1982-1995*

Rank	Institution	1982 Ordinal Position	1995 Ordinal Position	Positions Gained
1	Emory University	136	44.5 (T)	91.5
2	Case Western Reserve University	122	77	45
3	Vanderbilt University	93	64	29
4	University of California-Riverside	112 (T)	86.5 (T)	25.5
5	Texas A&M University	85.5 (T)	63	22.5
6	Rice University	72.5 (T)	53	19.5
7	University of Arizona	56.5 (T)	41	15.5
8	University of Utah	89.5 (T)	74.5 (T)	15
9.5	North Carolina State University	75	62	13
9.5	University of Notre Dame	109 (T)	96 (T)	13

* Includes institutions that had 15 or more programs rated in 1995 and were also rated among the top 100 institutions by mean score (counting those with fewer than 15 programs rated) in 1995.

(T) = Tied

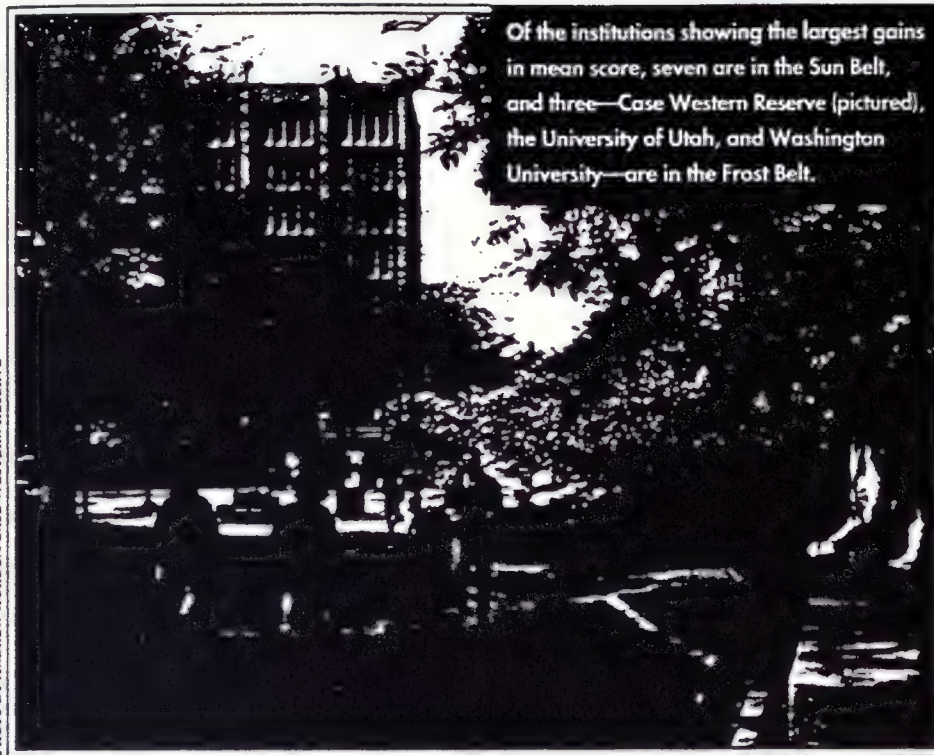
(with an ordinal position of 39 and mean score of 3.13) and barely ahead of SUNY-Albany (with an ordinal position of 73 and mean score of 2.54).

PRESS COVERAGE: ASSESSMENT VERSUS REPORT

While dozens of newspapers have published stories about the *Report*, almost all these have focused on how institutions in the newspapers' cities or circulation areas fared. Since none of the three largest-circulation American

newsmagazines—*Time*, *Newsweek*, and *U.S. News & World Report*—devoted even an inch of space to the *Report*, there has been little coverage of it from a national, as opposed to a local or regional, perspective. Furthermore, other than David W. Fenton's material on the Internet, little has been published analyzing, evaluating, or critiquing the *Report*.

Several major metropolitan newspapers gave the 1982 rating considerably more coverage than they gave the 1995 one—if they covered the latter at all.



Of the institutions showing the largest gains in mean score, seven are in the Sun Belt, and three—Case Western Reserve (pictured), the University of Utah, and Washington University—are in the Frost Belt.

TABLE 18
INSTITUTIONS WITH THE 10 LARGEST GAINS IN MEAN SCORE,
1982-1995*

Rank	Institution	1982 Mean Score	1995 Mean Score	Gain
1	Emory University	2.01	3.23	1.22
2	Case Western Reserve University	2.11	2.88	0.77
3	Vanderbilt University	2.32	2.99	0.67
4	Texas A&M University	2.39	3.00	0.61
5	University of California-San Diego	3.35	3.93	0.58
6	Rice University	2.54	3.11	0.57
7.5	North Carolina State University	2.48	3.03	0.55
7.5	University of Utah	2.35	2.90	0.55
9	University of Arizona	2.72	3.25	0.53
10	Washington University	2.72	3.22	0.50

* Includes institutions that had 15 or more programs rated in 1995 and were also rated among the top 100 institutions by mean score (counting those with fewer than 15 programs rated) in 1995.

Even when they *did* cover the 1995 rating, they often gave it fewer inches and played it less prominently than they did the earlier one. Perhaps the newspaper whose coverage of the two ratings differed the most is the *Washington Post*. It devoted four news stories over several months, totaling more than 100 column inches, to the 1982 rating. However, more than eight months after the publication of the 1995 rating, the *Post* has not run a single story about it.

Other major newspapers also covered the 1982 rating, but not the one published in 1995. The *Chicago Tribune*, for instance, published two stories totaling about 60 column inches on the 1982 rating—both of which started on page 1—but did not cover the 1995 rating at all. Similarly, the *Philadelphia Inquirer*, which gave the 1982 rating about 25 column inches, did not cover the 1995 rating.

Some newspapers covered both rat-

ings, but much more fully or prominently in 1982. The *Boston Globe* gave the 1982 rating about 165 column inches, starting on page 1, but gave the 1995 rating only about 100 column inches, starting on page 21. The *New York Times* gave the earlier rating about 100 column inches, starting on page 1, and the later one almost as many inches, with the major story starting in the second section and a short editorial appearing near the back of the first section.

Why did many (although not all) major metropolitan newspapers give the 1982 rating more coverage than the later one? There are at least three reasons. First, since 1982 the public interest in ratings of colleges and universities—at least in the eyes of newspaper editors—may have been reduced by the numerous ratings of colleges and universities that have appeared in *U.S. News & World Report* (starting in 1983) and *Money* magazine (starting in 1984). Second, as Carol Innerst, editor of the *Washington Times*, has suggested, newspaper editors do not generally hold the ratings of colleges and universities that appear in popular magazines in high regard, so they have given short shrift to the ratings in *U.S. News & World Report* because they considered it redundant with those in popular magazines. Third, as Innerst has observed, the National Academy of Sciences (NAS), which published both ratings, provided very little advance notice to newspaper editors in the way of press releases. Innerst did not call to alert her to the *Report* until though she works in the city in which the NAS is located. Nor did the NAS release the immense study early to the press, even though doing so would have given reporters time to familiarize themselves with it before it was released to the public.

CONCLUSION

The Committee should be congratulated for amassing and publishing an enormous amount of data, thereby providing a gold mine of material for scholars writing for the navel-gazing journals of their disciplines, such as *American Psychologist* and the *American Sociologist*, as well as for students writing dissertations. It should be praised for publishing its data in a reader-friendly form than in the 1995 *Assessment*. If uncovering the reasons

of the *Assessment* was the social science equivalent of watching the dance of the seven veils, understanding the *Report* is, by comparison, the equivalent of watching the dance of only five or six veils. Still, it is hard to imagine undergraduates who are looking for a graduate school, or even graduate students who are looking for another graduate school—not to mention their parents—making a beeline for this tome.

If the Conference Board of Associated Research Councils sponsors another rating, it should make it even more reader-friendly—or, to be more accurate, even less inaccessible. It can do so by including substantially more pages of text; discussing in the text those findings likely to be of special interest to readers; not only arraying programs in rank order in the tables, but also publishing their ordinal positions; using larger type in the tables; and refraining from using a gray background with half the data in the tables, because black type on a gray background is hard to read.

The people who actually conduct any future rating should also strongly consider including some new measures. With all the attacks that have been leveled against academic quality rankings over the past several decades, the book that does more to undermine them than any hundred such attacks put together is Ernest Pascarella and Patrick Terenzini's superb review of some 2,600 empirical studies, *How College Affects Students* (1991). The authors show that for undergraduates, those variables most often used as measures of quality—institutional prestige, admissions selectivity, and institutional resources—make very little difference in how much students benefit, either cognitively or affectively, from college (although they matter more in determining students' eventual occupational attainment and income).

What matters much more concerning how much students benefit, cognitively and affectively, from college are such factors, virtually never used in academic quality rankings, as the following: students' opportunity to learn through the use of various methods of individualized instruction, the degree to which the curriculum is flexible, the amount of informal interaction students have with faculty and with each other, and students' degree of involve-

TABLE 19
INSTITUTIONS WITH THE 10 LARGEST DECLINES IN ORDINAL POSITION, 1982-1995*

Rank	Institution	1982 Ordinal Position	1995 Ordinal Position	Positions Lost
1	State University of New York at Buffalo	61	93.5 (T)	32.5
2	Georgia Institute of Technology	48	71 (T)	23
4	CUNY Graduate School and University Center	35	57.5 (T)	22.5
4	Michigan State University	53.5 (T)	76	22.5
4	Oregon State University	69	91.5 (T)	22.5
6	University of Illinois-Chicago	60	81.5 (T)	21.5
7.5	University of California-Santa Cruz	67.5 (T)	88.5 (T)	21
7.5	Virginia Polytechnic Institute and State University	64	85	21
9.5	Indiana University	30 (T)	50.5 (T)	20.5
9.5	University of Massachusetts-Amherst	45	65.5 (T)	20.5

* Includes institutions that had 15 or more programs rated in 1995 and were also rated among the top 100 institutions by mean score (including those with fewer than 15 programs rated) in 1995.

(T) = Tied

TABLE 20
THE ONLY INSTITUTIONS THAT DECLINED IN MEAN SCORE, 1982-1995*

Rank	Institution	1982 Mean Score	1995 Mean Score	Loss
1	University of Illinois at Urbana-Champaign	3.67	3.56	-0.11
2	Massachusetts Institute of Technology	4.66	4.60	-0.06
3	Indiana University	3.20	3.15	-0.05
4.5	Harvard University	4.41	4.40	-0.01
4.5	State University of New York at Buffalo	2.66	2.65	-0.01

* Includes institutions that had 15 or more programs rated in 1995 and were also rated among the top 100 institutions (counting those with fewer than 15 programs rated) in 1995.

ment in campus life in general.

Assuming that what benefits undergraduates may also benefit graduate students, those who compile future ratings of PhD-level education should consider including some measures concerning the extent to which students are involved in the life of their program and, perhaps, the life of their entire campus.

Such measures might include the proportion of students who hold teaching or research assistantships in their department, who work on campus in other capacities, who report that they have one or more faculty mentors, who have presented one or more conference papers and published one or more articles, and who live on campus.

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November 13, 1991

CHAIRMAN MEREDITH J. KHACHIGIAN
Board of Regents
University of California

Dear Meredith:

This letter is one not easily written, for it relies on mere words to convey feelings that reach far deeper than words can express, and that arise from principles of life that are more complex than I am able adequately to share or even fully to comprehend.

As you know, I have been struggling since Libby's death of last February to reconcile the reality of her passing with my ongoing life and work. Friends and colleagues, both within the University of California community and beyond, and of course members of my own family, have been constant in their support, encouragement, and love as I have tried to hold together what has been so central a fact in Libby's adult life and my own, that is, serving the University of California for over twenty years and the University of Utah for ten.

We served together because we chose to do so. It was a partnership that brought both of us immense personal pleasure, challenge, accomplishment, and satisfaction, enriched by a unique regard and respect for what each contributed.

Death has now dissolved our partnership, at least for this life, although according to our faith not forever; and it has become clearer with each passing month since Libby's death that without her I cannot remain as President of the University of California. I intend, therefore, to step down as President on October 1, 1992, a date that, among other things, will permit me to help with the 1992 legislative session and the forming and enactment of the University's 1992-93 operating and capital budgets. It will also afford The Regents ample time to seek for and find my

Chairman Meredith J. Khachigian
 November 13, 1991
 Page 2

successor and will allow that person to commence his or her duties during the University's 125th anniversary year. It should also be noted that by next October, I will be in my tenth year as President of the University of California; only Presidents Benjamin Ide Wheeler (1899-1919) and Robert Gordon Sproul (1930-1958) served longer.

I have respected this institution from my earliest memories as a boy growing up in Berkeley and am proud to have earned two graduate degrees from the Berkeley campus. Libby graduated from UC San Francisco, and one of our daughters from UC Davis; another earned her master's degree at UCLA; another studied at UCLA and UC San Diego; our youngest will complete her undergraduate studies at UC Berkeley this fall term; and a son-in-law is in graduate school at UC San Diego.

But in this respect our family is not unique. Indeed, I know of no public university in the world that has afforded its students, regardless of their race, gender, religion, or socio-economic circumstances, as excellent an education for so modest a cost while simultaneously attaining to levels of intellectual accomplishment that are world-renowned and internationally respected.

The University of California is our state's crowning jewel, the principal point of access for people of talent and ambition, the quiet force from which much of California's economic power and strength derives, one of the world's great intellectual treasure houses, the repository of much of our cultural heritage, a cauldron of discovery, a marketplace of ideas--in short, one of the greatest centers of learning the world has ever known.

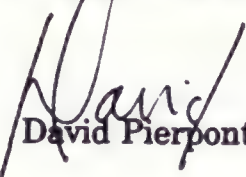
I remain profoundly appreciative of the honor I have had to serve this University as its President and of the unstinting support that you and other members of the Board have accorded me these many years, the help and encouragement that I have consistently received from the University's Chancellors, Vice Presidents, its other dedicated officers and also from the gifted and committed members of the University's faculties and staff. Coming to know and work with members of the University's talented student body over the years has also been a source of great pleasure, as has been the privilege of knowing and working with the University's extended family, alumni and friends throughout the world.

It will require from all of us continued and vigorous effort to sustain this institution and to preserve it for succeeding generations. You may count on my

Chairman Meredith J. Khachigian
November 13, 1991
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devoted and unqualified effort during my final year as President and beyond,
regardless of where I may be or what I may be doing.

Respectfully yours,


David Pierpont Gardner

cc: The Regents of the University of California

DAVID PIERPONT GARDNER
 525 MIDDLEFIELD ROAD, SUITE 200
 MENLO PARK, CA 94025

PERSONAL

- Born March 24, 1933, Berkeley, California
- Married Elizabeth (Libby) Fuhrman, 1958 (deceased 1991); married Sheila S. Rodgers, 1995
- Four daughters

EDUCATION

- University of California, Berkeley, 1962–66: Ph.D., Higher Education
- University of California, Berkeley, 1957–59: M.A., Political Science
- Brigham Young University, 1951–55: B.S., Political Science, History, and Geography

PROFESSIONAL POSITIONS

- | | |
|---------|---|
| 1993– | President, William and Flora Hewlett Foundation, Menlo Park, California |
| 1983–92 | President, University of California and Professor of Higher Education, University of California, Berkeley |
| 1973–83 | President, University of Utah and Professor of Higher Education |
| 1971–73 | Vice President, University of California and Professor of Higher Education, University of California, Santa Barbara |
| 1969–70 | Vice Chancellor, Executive Assistant and Associate Professor of Higher Education, University of California, Santa Barbara |
| 1967–69 | Assistant Chancellor and Assistant Professor of Higher Education, University of California, Santa Barbara |
| 1964–67 | Assistant to the Chancellor and Assistant Professor of Higher Education, University of California, Santa Barbara |
| 1962–64 | Director, California Alumni Foundation, University of California, Berkeley |
| 1960–62 | Field and Scholarship Director, California Alumni Association, University of California, Berkeley |
| 1958–60 | Administrative Assistant, Personnel Manager, and Principal Assistant to Chief Administrative Officer, California Farm Bureau Federation, Berkeley |

HONORARY DEGREES

- Honorary Doctor of Laws, Pepperdine University, 1992
- Honorary Doctor of Humane Letters, International Christian University, 1990
- Honorary Doctor of Laws, Brown University, 1989
- Honorary Doctor of Laws, University of Notre Dame, 1989
- Docteur Honoris Causa de l'Universite de Bordeaux II, 1988
- Honorary Doctor of Humanities, Utah State University, 1987
- Honorary Doctor of Laws, Westminster College, 1987
- Honorary Doctor of Laws, University of Nevada, 1984
- Honorary Doctor of Letters, University of Utah, 1983
- Honorary Doctor of Laws, University of The Pacific, 1983
- Honorary Doctor of Humanities, Brigham Young University, 1981

HONORS AND AWARDS

- Knight Commander's Cross of the Order of Merit of the Federal Republic of Germany, 1992
- Alumnus of the Year, University of California, Berkeley, 1989
- California School Boards Research Foundation Hall of Fame Award, 1987
- Fulbright 40th Anniversary Distinguished Fellow, Japan, 1987
- James Bryant Conant Award, Education Commission of the States, 1985
- French Legion d'Honneur, 1985
- President Emeritus, University of Utah, 1985
- Benjamin P. Cheney Medal, Eastern Washington University, 1984
- Honorary Member, Phi Beta Kappa
- Honorary Member, Phi Kappa Phi
- Selection as one of "100 young leaders of the academy" in nationwide survey conducted by CHANGE magazine, October 1978
- Special August 1974 edition of TIME magazine, named as one of the 200 men and women "destined to provide the United States with a new generation of leadership"

ACADEMIC MEMBERSHIPS

- Member, National Academy of Education, 1990
- Member, American Philosophical Society, 1989
- Fellow, American Academy of Arts and Sciences, 1986
- Fellow, National Academy of Public Administration, 1983
- Visiting Fellow, Michaelmas Term 1979, Clare Hall, University of Cambridge, England

CURRENT MEMBERSHIPS AND PROFESSIONAL SERVICE

Board of Directors, Huntsman Cancer Foundation, 1995–
 Board of Directors, John Alden Financial Corporation, 1993–
 Board of Governors, The Nature Conservancy, 1993–
 Board of Directors, William and Flora Hewlett Foundation, 1992–
 Board of Directors, J. Paul Getty Trust, 1992–
 Board of Directors, Fluor Corporation, 1988–
 Board of Directors (Chairman), George S. and Dolores Dore Eccles Foundation, 1982–
 Board of Trustees (Founding Trustee), Tanner Lectures on Human Values, 1978–
 Board of Directors, First Security Corporation, 1975–

PREVIOUS MEMBERSHIPS AND PROFESSIONAL SERVICE (SELECTED)

Association of Governing Boards of Universities and Colleges Advisory Council of Presidents, 1990–1992
 Business-Higher Education Forum, 1984–92 (Chairman, 1988–90)
 Board of Directors, California Chamber of Commerce, 1984–92
 Board of Directors, California Economic Development Corporation, 1984–92
 Council Member, Hong Kong University of Science and Technology, 1988–96
 Member, National Association of State Universities and Land Grant Colleges, Committee on
 Federal Legislation, 1983–92
 Council on Competitiveness, Executive Committee, 1990–92
 College Board, New Possibilities Commission, Co-Chair, 1989–90
 Board of Directors, The Nature Conservancy (California), 1986–90
 Chair, Southwestern District Rhodes Scholarship Selection Committee, 1986–87
 Director, Rio Grande Industries, Inc., 1982–85
 Director, The Denver and Rio Grande Western Railroad Company, 1982–85
 Executive Committee, National Association of State Universities and Land Grant Colleges, 1982–83
 Chairman, National Collegiate Athletic Association Select Committee on Athletic Problems
 and Concerns in Higher Education, August, 1982–83
 Chairman, National Commission of Excellence in Education, 1981–83
 (Appointee of the U.S. Secretary of Education)
 Member, National Commission on Higher Education Issues, 1981–82, American Council on Education
 Member, National Commission on Student Financial Assistance, 1981–83
 (Appointee of President Pro Tem, U.S. Senate)
 Member, Study Group for Post-Secondary Organization and Management Studies, National Institute of
 Education, 1980–82

DAVID PIERPONT GARDNER

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Board of Directors, America-Mideast Educational and Training Services, Washington, D.C., 1980-2

Board of Directors, American Council on Education, 1978-81

Chairman, Western Region White House Fellows Committee, 1978-80

Chairman, Rhodes Scholarship Selection Committee for Utah, 1978-80

Executive Committee, Western College Association, 1978-81

Trustee, Herbert I. and Elsa B. Michael Foundation, 1976-83

Director, Prudential Federal Savings and Loan, 1975-85

Director, Utah Symphony, 1974-83

Director, Utah Power and Light, 1974-83

Chairman, National Board for Courses by Newspaper (National Endowment for Humanities),
University of California, San Diego, 1974-81

November 1993

DAVID PIERPONT GARDNER
BIBLIOGRAPHY

BOOKS

The California Oath Controversy. Berkeley and Los Angeles: University of California Press, 1967.

Higher Education and Government: An Uneasy Alliance. (Eds. W. Todd Furniss and David P. Gardner), American Council on Education, Washington, D.C., 1979.

PUBLICATIONS

"Managing Transitions in a Time of Acute Modernity," TRUSTEESHIP, July/August 1995, published by the Association of Governing Boards of Universities and Colleges.

"The Internationalization of the University," proceedings of the '92 Seoul International Conference, The Role of University Education in the Asia/Pacific Age, (ed. Ki-ouk Kwon) pp. 19-28, June 1992.

"Institutions Besieged by Invective," Los Angeles Times, July 30, 1991.

"Relief from Gridlock, On and Off the Road," Los Angeles Times, May 28, 1990.

"Internationalization: The State of the Institution," Educational Record, 71, 2, Spring 1990.

"Leadership for Excellence," a series on excellence and leadership sponsored by ITT, Forbes, April 16, 1990.

Commentary on The James E. Webb Lecture delivered by Frank Press, "Science in a New Era," November 19, 1989, an occasional paper sponsored by the James E. Webb Fund for Excellence in Public Administration, National Academy of Public Administration, pp. 19-21.

"Education and the Economy," Stanford Law and Policy Review, 1,1, Fall 1989.

"Higher Education and the Workforce: Challenges and Opportunities," Recruitment Times (published by the Los Angeles Times), 2, 2, Second Quarter 1989.

"Looking toward 2005," Chamber of Commerce Alert, March 31, 1989.

"U.S. Human Potential Can Be Developed, If We Make Up Our Minds," Los Angeles Times, November 22, 1988. [Reprinted in Oakland Tribune, November 25, 1988, and in Atlanta Journal and Constitution, December 1, 1988.]

"International Research: The Face of the Future?" Western Breeze (published by the Hitachi Corporation), 2, 3, July-August-September, 1988.

- Foreword to Ideology and Power in the Middle East: Studies in Honor of George Lenczowski (Ed. P. J. Chelkowski and Robert J. Pranger), Durham and London: Duke University Press, 1988, pp. 1-10.
- "Issues Confronting American Higher Education," Higher Education Quarterly, 42, 3, Summer 1988.
- "On Leadership," Leaders on Leadership: The College Presidency (Eds. James Fisher and Martha V. Tack), San Francisco: Jossey-Bass, 1988, pp. 9-12.
- "The U.S. Business-Higher Education Forum: Reviewing the Experiment," Industry and Higher Education, 2, 2, June 1988.
- "Higher Education's Future Lies on the Pacific Rim," San Francisco Business Times, November 23, 1987.
- "Education Reform: A Continuing Agenda," National Forum, LXVII, 4, Fall 1987.
- "The Pacific Century," Science, 237, 4812, July 17, 1987. [Reprinted in Coastlines, Winter 1988, and in Power Engineering Review, Vol. PER-7, No. 10, October 1987.]
- "Reducing Our Nation's Risk," Currents, XIII, 5, May 1987.
- "The Future of University/Industry Research," Perspectives in Computing, 7, 1, Spring 1987.
- "The Charge of the Byte Brigade: Educators Lead the Fourth Revolution," Educational Record, 67, 1, Winter 1986.
- "Geography and Educational Reform," Annals of the Association of American Geographers, 76, 1, March 1986.
- "The Humanities and the Educational Reform Movement: What Can Be Done?" National Forum, LXVI, 2, Spring 1986.
- "20/20 Foresight: California's Leaders on California's Future," Management (published by UCLA Graduate School of Management), 5, 1, Fall 1985.
- "Adding It All Up," Los Angeles Times Magazine, October 13, 1985.
- "California and the Pacific Community," Asian Week, 6, 40, May 1, 1985.
- "Managing the American University," International Journal of Institutional Management in Higher Education, 9, 1, March 1985.
- "The Humanities and Our Future," Humanities Network (published by the California Council for the Humanities), 7, 1, Winter 1985.
- "The Humanities and the Fine Arts: The Soul and Spirit of Our Universities," The Center Magazine, xvii, 6, November/December 1985.

- "Did the Education Commissions Make a Difference?" Shield (published by Phillips Petroleum Company), IX, 3, Third Quarter 1984 [October 1984].
- "Knowledge Is Power," Science, 224, 4656, June 29, 1984.
- "Fulfilling Our Expectations," American Education, 20, 2, March 1984.
- "Who's Minding the University?" San Jose Mercury-News, November 27, 1983.
- "What Parents Must Do About Our Schools," Ladies' Home Journal, November 1983.
- Book review of L. Wagner's "Agenda for Institutional Change in Higher Education," International Journal of Institutional Management in Higher Education, 7, 2, July 1983.
- "Excellence in Education," Proceedings Northwest Association of Schools and Colleges, sixty-sixth annual convention, December 4-7, 1982, Northwest Association of Schools and Colleges, Seattle, Washington, pp. 65-75.
- "A Time for Re-examination and Renewal," American Education, 18, 7, August/September 1982.
- "Excellence in Education: A Brief Analysis of the Problems," National Forum, LXII, 4, Fall 1982.
- "Forces for Change in the Governance of British and American Universities," Policy Studies Journal, 10, 1, September 1981, pp. 123-136.
- "A Living Tribute to the People of Utah," Remembering, (ed. by Elizabeth Haglund), Salt Lake City: University of Utah Press, 1981, pp. 213-233.
- "Our Schools in the Eighties: Utah's Challenge to Honor Its Past and Ensure Its Future," More Students. More Quality--The Opportunity for Utah Schools, (ed. Allan Davis), Salt Lake City: University of Utah Press, 1981, pp. 1-18. (Funded by a grant from the Utah Endowment for the Humanities.)
- "Campus and Government Must Reach New Understanding," The Times Higher Education Supplement, London, January 4, 1980.
- "Educational Standards: A Moving Target," Address and Proceedings, Annual Meeting, March 9-10, 1978, Western College Association, Oakland, California, pp. 7-11.
- "What Will the Future Bring," Students and Their Institutions, (eds. J.W. Peltason and Marcy V. Massengale), American Council on Education, Washington, D.C., 1978, pp. 100-106.
- "Forces for Change in American Higher Education," On the Meaning of the University, (ed. Sterling M. McMurrin), Salt Lake City: University of Utah Press, 1976, pp. 103-123. (Also appeared as Chapter VIII, Volume VII, Critical Choices for Americans: Qualities of Life, Lexington Books, D. C. Heath & Company, 1976, pp. 189-209.)

"Alternatives in Higher Education--Who Wants What?" Higher Education 4, 1975, pp. 317-333. Elsevier Scientific Publishing Company, Amsterdam.

"Engaging the Future: The University's Challenge," Forum for Honors, National Collegiate Honors Council, December 1974, pp. 9-15.

"A Strategy for Change in Higher Education: The Extended University of the University of California" (with Joseph Zelan), Conference on Future Structures of Post-Secondary Education, Organization for Economic Cooperation and Development, Paris, 1974.

"Recurrent Education as an Alternative Educational Strategy," Festschrift honoring T. R. McConnell Professor of Higher Education, Emeritus, University of California, Berkeley, Winter 1973, pp. 10-120.

"Faculty Responsibility for Professional Ethics," Educational Record, 52, 4, Fall 1971, pp. 343-347.

The University in Disarray: Causes of Conflict and Prospects for Change," Cybernetics Simulation and Conflict Resolution, (ed. Douglas Knight), New York: Spartan Books, 1970, pp. 13-28.

"Politics vs. Academic Freedom," Los Angeles Times, August 16, 1970. [Reprinted in Journal for British University Staff, Aldwych House, London.]

A Convocation Anthology: Problems, Goals and Research in Higher Education, University of California, Santa Barbara, 1969. Readings compiled for the Campus Convocation Committee on the Structure and Purpose of Higher Education in the United States.

"The Power Struggle to Convert the University," Educational Record, 50, 2, Spring 1969, pp. 113-120.

"By Oath and Association: The California Folly," The Journal of Higher Education, XL, 2, February 1969, pp. 122-134.

"Organizations and Modern Society," Social Studies in a Mass Society, (ed. Dale L. Brubaker), Scranton, Pennsylvania: International Textbook Company, 1969, pp. 67-87.

"Politics and the Urban University," Education and Urban Society, 1, 3, May 1969, pp. 337-345.

"Some Marginal Notes on the Berkeley-Eldridge Cleaver Affair," California Digest, I, 7, December 1968, pp. 121-123, 142.

"The California Oath Controversy: Silence and Frustration," California Monthly, LXXVII, 7, June-July 1967, pp. 50-55.

SELECTED PAPERS AND SPEECHES

"The Case for the American University," The Grace A. Tanner Lectures on Human Values, Southern Utah University, April 22, 1993.

Commencement address, University of Washington, School of Business Administration, Seattle, Washington, June 13, 1992.

Commencement address, California Institute of Technology, Pasadena, California, June 12, 1992.

Commencement address, Pepperdine University, Malibu, California, May 16, 1992.

Invited address to the Annual Meeting of the Western College Association, "Working Together: An Agenda for Joint Action," Honolulu, Hawaii, April 18, 1990.

Invited address at the Twenty-Fifth Anniversary Meeting of the National Academy of Engineering, "Universities and the Global Marketplace," Irvine, California, December 5, 1989.

"The Internationalization of the University," Tenth Pullias Lecture, University of Southern California, Los Angeles, March 12, 1988.

Invited address to the World Affairs Council, "The University of California: A Global Perspective," Los Angeles, California, February 24, 1988.

Invited address at the Annual Meeting of the Council on International Educational Exchange, "The Future of International Exchange: A UC Perspective," San Francisco, California, November 6, 1987.

Invited address at the weekly meeting, Commonwealth Club, "The American University in Transition," San Francisco, California, October 30, 1987.

Invited address to the Business-Government Relations Council of the Business-Higher Education Forum, "American Leadership at Home and Abroad: The Bicentennial Challenge," Hilton Head, North Carolina, September 25, 1987.

Invited address at Centennial celebration, "Frontiers of Learning: The West and Higher Education," Stanford University, May 16, 1987.

"Issues Confronting American Higher Education," Fulbright Fortieth Anniversary Distinguished Fellow Lecture, Japan, April 1987.

Invited address at the Governor's Conference on Economic Development and Education, "Quality Education: The Key to a Successful State Economy," Salt Lake City, Utah, February 6, 1987.

Invited address to the St. Louis Regional Growth and Commerce Association, "Reducing Our Nation's Risk: Investing in Higher Education," St. Louis, Missouri, December 2, 1986.

Invited address at the California Principals' Conference for Academic Excellence in Effective Schools, "The Future of School Reform," Anaheim, California, November 24, 1986.

Invited address at the dedication of the IBM Almaden Research Center, "The Future of University/Industry Research," San Jose, California, May 30, 1986.

Invited testimony before the Commission for the Review of the Master Plan, "Public Policy and Higher Education to the Year 2000," Sacramento, California, May 21, 1986.

Keynote address, Third Anniversary Conference commemorating the publication of A Nation at Risk, the report of the National Commission on Excellence in Education, Salt Lake City, Utah, April 2, 1986.

Invited address at the Annual Meeting of the National Science Teachers Association, "Science and the Human Condition," San Francisco, California, March 26, 1986.

Invited address, California State Board of Forestry Centennial II, "The Centennial Action Plan: Some Perspectives from the University of California," Sacramento, California, December 5, 1985.

Invited address at the Annual Meeting of the American Physical Society, "The University Presidency: A Personal View," San Diego, California, November 6, 1985.

Invited testimony on A Nation at Risk, the report of the National Commission on Excellence in Education, before the House Sub-Committee on Elementary, Secondary, and Vocational Education and the Senate Subcommittee on Education, Arts and Humanities, U.S. Congress, Washington, D.C., October 1, 1985.

Invited testimony before the Subcommittee on Postsecondary Education of the Committee on Education and Labor, U.S. House of Representatives, "The Reauthorization of the Higher Education Act of 1985," Washington, D.C., October 1, 1985.

Invited address at the Annual Meeting of the American Academy of Periodontology, "The Report of the National Commission on Excellence in Education: How the Nation Responded," San Francisco, California, September 22, 1985.

Invited address at the 1985 meeting of the International Association of Universities, "The Role of the University of California under the Master Plan," Los Angeles, California, August 15, 1985.

Testimony before the Commission for the Review of the Master Plan for Higher Education, Sacramento, California, March 26, 1985.

Invited address at the 106th Annual Winter Conference, California Press Association, "California and the Pacific Community," San Francisco, California, December 7, 1984.

Invited address at the Annual Convention, California Farm Bureau Federation, "Higher Education and California's Future," Stateline, Nevada, December 3, 1984.

Invited address at the 1984 Annual Conference, California School Boards Association, "The Schools and Higher Education: A Partnership for the Future," Anaheim, California, November 30, 1984.

The Second Annual California Humanities Lecture, "The Humanities and Our Future," sponsored by the California Council for the Humanities and the San Francisco Foundation, San Francisco, California, October 12, 1984.

Invited address at the Seventh General Conference of Member Institutions, Organization for Economic Cooperation and Development, "Managing the American University," Paris, September 3, 1984.

Invited address at the Sixth International Conference on Higher Education, Institute for Research and Development in Post-Compulsory Education, "Higher Education and the New Technologies," University of Lancaster, England, August 30, 1984.

First David Pierpont Gardner Graduate Lecture in the Humanities and Fine Arts, "The Humanities and the Fine Arts: The Soul and Spirit of Our Universities," sponsored by the University of Utah, Salt Lake City, Utah, May 31, 1984.

Commencement address, University of Nevada, Las Vegas, "The Place of Learning in Our Lives and Our Future," Las Vegas, Nevada, May 27, 1984.

Invited address at the Annual Meeting, Western Association of College and University Business Officers, "The Leadership Potential in Higher Education," Honolulu, Hawaii, April 30, 1984.

Invited address at the weekly meeting, Commonwealth Club, "The Report of the National Commission on Excellence in Education: A Retrospective View," San Francisco, California, April 6, 1984.

Invited address at the 1984 Annual Meeting, Western Association of Graduate Schools, "Excellence in Graduate Education and Research," Monterey, California, March 5, 1984.

Invited address at the Eighth District Conference, Council for the Advancement and Support of Education, "A Nation at Risk: Implications for Institutional Advancement," San Francisco, California, January 30, 1984.

Invited address at the UCLA Business Forecasting Conference, Business Forecasting Project, "Education in a Technological Economy: Some Observations on the Nation's Schools," Los Angeles, California, December 14, 1983.

Remarks at the National Forum on Excellence in Education, sponsored by the U.S. Department of Education, Indianapolis, Indiana, December 7, 1983.

Invited testimony before the Committee on Labor and Human Resources, United States Senate, on examination of the report of the National Commission on Excellence in Education, Washington, D.C., November 9, 1983.

Commencement address, University of The Pacific, Stockton, California, May 20, 1983.

Invited address at the 1983 Conference of the National Association of Independent Schools, "Some Reflections on the Condition of American Education Today," Anaheim, California, March 17, 1983.

Invited address at the 66th Annual Meeting of the Northwest Association of Schools and Colleges, "Excellence in Education," Seattle, Washington, December 6, 1982.

Invited address at The Eighth Annual Conference on Higher Education at the University of Arizona, "Excellence in Higher Education," Tucson, Arizona, December 2, 1982.

Invited address at Westminster College's Executive Lecture Series, "Education and Society," Salt Lake City, Utah, November 2, 1982.

Invited address at the conference on The American High School Today and Tomorrow, "Educational Excellence and the American High School," University of California, Berkeley, California, June 2, 1982.

Invited address at the 22nd Annual Forum of the Association for Institutional Research, "On Quality: The Federal Connection," Denver, Colorado, May 17, 1982.

Commencement address, University of Wyoming, "The Road Not Taken," Laramie, Wyoming, May 1982.

"Excellence: As Difficult As It Is Rare," Robert Tait McKenzie Memorial Lecture, co-sponsored by The American Academy of Physical Education and The American Alliance for Health, Physical Education, Recreation and Dance, Houston, Texas, April 22, 1982.

Invited address at the Eighty-Seventh Annual Meeting of the North Central Association of Colleges and Schools, "Excellence and Institutional Mission: Focusing on Quality," Chicago, Illinois, March 25, 1982.

Invited Colloquium to discuss the work of the National Commission on Excellence in Education, Center for Studies in Higher Education, University of California, Berkeley, January 1982.

Keynote address at the Utah Conference on Critical Choices in Higher Education, "The Challenge of Quality in a Period of Growth," Western Interstate Commission for Higher Education, Salt Lake City, Utah, January 1982.

Invited paper at the Critical Choices in Western Higher Education Regional Conference on Policy Alternatives for Quality, Finance, and Coordination in the 80's, "Setting the Scene: The Importance of Quality," Western Interstate Commission for Higher Education, Denver, Colorado, October 1981.

Invited participant in the Leverhulme Seminar on Institutional Adaptation and Change, Bristol, England, September 1981, and on Governance and Finance, Warwick, England, September 1982.

Commencement address, Brigham Young University, Provo, Utah, August 21, 1981.

Invited paper at Western College Association Annual Meeting, "Educational Standards: A Moving Target," Newport Beach, California, March 1978.

Invited paper at American Council on Education Sixtieth Annual Meeting, "Anticipating the Challenge of Lifelong Learning," Washington, D.C., October 1977.

Invited paper at meeting of Western Association of College and University Business Officers, "External Forces Affecting Higher Education," Seattle, Washington, May 1977.

Invited paper with Joseph Zelan at the Conference on Future Structures of Post-Secondary Education, "A Strategy for Change in Higher Education: The Extended University of the University of California," sponsored by the Organization for Economic Cooperation and Development, Paris, 1974.

Invited closed circuit TV discussion at annual meeting of American Medical Association, "Emerging Forms of Post-Secondary Education," San Francisco, California, June 1972.

Invited paper at annual meeting of the California Articulation Conference, "Alternative Forms of Higher Education," Sacramento, California, May 1972.

Invited paper at the annual meeting of the American Association of College Registrars and Admission Officers, "The Extended University--Dream or Reality," Cleveland, Ohio, April 1972.

Invited testimony before Joint Legislative Committee, on the State Master Plan for Higher Education, "Alternative Forms of Higher Education," California State Legislature, Sacramento, California, March 1972.

Invited paper at Annual Meeting of Western Educational Society for Telecommunications, "Telecommunications in a Changing Educational World," San Francisco, California, March 1972.

Invited paper at Annual Meeting of the California Junior College Association, "Nontraditional Programs in American Higher Education," San Francisco, California, November 1971.

Keynote address, 39th Annual Meeting of the Engineering Council for Professional Development, San Francisco, California, October 1971.

Panelist at National Invitational Workshop, "Faculty Members and Campus Governance," sponsored by Carnegie Commission on the Future of Higher Education, the Assembly on University Goals and Governance, and the Center for Research and Development in Higher Education, University of California, Berkeley, Houston, Texas, February 1971.

Invited testimony before President Nixon's Commission on Campus Unrest (Scranton Commission), Los Angeles, California, August 5, 1970.

Invited paper at Western Regional Meeting of American Colleges Public Relations Association, "Campus Unrest: Tactics and Strategy of the Radical Student," 1970.

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Invited lecturer at Annual Meeting of the Public Affairs Council, Washington, D.C., "Tactics and Strategies of Campus Unrest: A New Pattern for the 70's," 1970.

Invited paper at Annual Meeting of the American Society for Cybernetics, "The Management of Conflict," Washington, D.C., October 1969.

Research paper at Annual Meeting of the American Association for Higher Education, "The University of California Loyalty Oath Controversy: A Case Study," Chicago, Illinois, March 1968.

May 1997

Interviews on the History of The University of California:
Berkeley Faculty and Academic Administrators

Documenting the history of the University of California has been a responsibility of the Regional Oral History Office since the office was established in 1954. Oral history memoirs with Berkeley faculty and academic administrators are listed below. The oral histories, both tapes and transcripts, are open to scholarly use in The Bancroft Library. Bound, indexed copies of the transcripts are available at cost to manuscript libraries. Series lists of distinguished alumni and other university related oral histories documenting campus life, university administration, and alumni contributions to their communities are also available.

Birge, Raymond Thayer, "Raymond Thayer Birge, Physicist," 1960, 395 pp.

Blaisdell, Thomas C., Jr., "India and China in the World War I Era; New Deal and Marshall Plan; and University of California, Berkeley," 1991, 373 pp.

Bowker, Albert, "Sixth Chancellor, University of California, Berkeley, 1971-1980; Statistician, and National Leader in the Policies and Politics of Higher Education," 1995, 274 pp.

Brown, Delmer M. (in process) Professor of History

Chaney, Ralph Works, "Paleobotanist, Conservationist," 1960, 277 pp.

Chao, Yuen Ren, "Chinese Linguist, Phonologist, Composer, and Author," 1977, 242 pp.

Constance, Lincoln, "Versatile Berkeley Botanist: Plant Taxonomy and University Governance," 1987, 362 pp.

Cross, Ira Brown, "Portrait of an Economics Professor," 1967, 128 pp.

Cruess, William V., "A Half Century in Food and Wine Technology, 1967 122 pp.

DeMars, Vernon, "A Life in Architecture: Indian Dancing, Migrant Housing, Telesis, Design for Urban Living, Theater, Teaching," 1992, 592 pp.

- Dennes, William R., "Philosophy and the University Since 1915," 1970, 162 pp.
- Eckbo, Garrett, "Landscape Architecture: The Profession in California, 1935-1940, and Telesis," 1993, 103 pp.
- Elberg, Sanford S., "Graduate Education and Microbiology at the University of California, Berkeley, 1930-1989," 1990, 269 pp.
- Erdman, Henry E., "Agricultural Economics: Teaching, Research, and Writing, University of California, Berkeley, 1922-1969," 1971, 252 pp.
- Esherick, Joseph, "An Architectural Practice in the San Francisco Bay Area, 1938-1996," 1996, 800 pp.
- Gardner, David P., "A Life in Higher Education: Fifteenth President of the University of California, 1983-1992," 1997, 810 pp.
- Grether, Ewald T., "Dean of the UC Berkeley Schools of Business Administration, 1943-1961; Leader in Campus Administration, Public Service, and Marketing Studies; and Forever a Teacher," 1993, 1069 pp.
- Harding, Sidney T., "A Life in Western Water Development," 1967, 524 pp.
- Harris, Joseph P., "Professor and Practitioner: Government, Election Reform, and the Votomatic," 1983, 155 pp.
- Hays, William Charles, "Order, Taste, and Grace in Architecture," 1968, 241 pp.
- Heilbron, Louis, "Most of a Century: Law and Public Service, 1930s to 1990s" (in process).
- Helmholz, A. Carl, "Physics and Faculty Governance at the University of California Berkeley, 1937-1990," 1993, 387 pp.
- Heyman, I. Michael, (in process). Berkeley Chancellor, 1980-1990.
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